DRAFT ORDINANCE

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS REPEALING AND REPLACING CHAPTER 6, BUILDING REGULATIONS, AND CHAPTER 9, FIRE PREVENTION AND PROTECTION, AND ADOPTING NEW 2022 CALIFORNIA BUILDING AND FIRE CODES, AS AMENDED, INCLUDING REACH CODES

WHEREAS, every three years, 14 State of California agencies review, amend, and propose model codes to be adopted by the Building Standards Commission; and

WHEREAS, the California Building Standards Commission completed the adoption and approval of 12 new building codes, and local jurisdictions are required to adopt these codes by January 1, 2023; and

WHEREAS, the Town of Los Gatos is proposing to adopt and amend Part 1, the California Administrative Code to address administrative provisions; and

WHEREAS, the Town of Los Gatos is proposing to adopt the California Code of Regulations (CCR), Title 24 as Chapter 6 and the California Fire Code as Chapter 9 of the Town Code and to make amendments to address climatic, topographic, and geological conditions; and

WHEREAS, the Town of Los Gatos is proposing to adopt the 2021 International Property Maintenance Code to provide procedures for the maintenance, repair, and demolition of existing buildings; and

WHEREAS, the Town of Los Gatos, in adopting these codes will be consistent with the State of California and other local municipalities; and

WHEREAS, Section 17958 of the Health and Safety Code requires that cities and towns choose between adopting ordinances and regulations imposing locally amended uniform codes setting rules and regulations for building, fire, mechanical, plumbing, electrical, and housing, or adopting the regulations adopted by the State Building Standards Commission; and

WHEREAS, the Town of Los Gatos, in Chapter 6 and Chapter 9 of the Town Code, had previously adopted the locally amended uniform codes; and

WHEREAS, the State of California Building Standards Commission adopted 12 new Parts for the CCR Title 24, which the Town will be required to enforce as written or as adopted with local amendments; and

WHEREAS, Sections 17958.5 and 17958.7 of the Health and Safety Code permit cities and towns to modify the California Code requirements if it makes express findings that such modifications are reasonably necessary because of local climatic, geological, geographical, or topographical conditions.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF LOS GATOS DOES HEREBY ORDAIN AS FOLLOWS:

Section 1.

LEGISLATIVE FINDINGS

In accordance with Health and Safety Code Sections 17958 and following, the Town Council finds that local amendments are reasonably necessary because of the following local climatic, geological, or topographical conditions:

1. The Town of Los Gatos experiences low humidity, high wind, and warm temperatures during the summer months creating conditions which are particularly conducive to the ignition and spread of grass, brush, and structure fires.

2. The Town of Los Gatos is situated adjacent to active earthquake faults capable of producing substantial seismic events.

3. The Town of Los Gatos is partially located in rugged, steep, and heavily vegetated hillsides accessible over limited roadways that are steep, narrow, and circuitous.

4. The Town of Los Gatos is divided by a creek, freeways and other traffic corridors, and is partially located in hillside areas with limited access, the occurrence of a major earthquake would significantly impact the ability of fire crews to respond to emergencies should one or more bridges collapse or be substantially damaged. Additionally, fire suppression capabilities will be severely limited should the water system be extensively damaged during a seismic event.

5. Climate change exacerbates fire risk in the Town. Greenhouse gas emissions contribute to climate change. The State of California has outlined specific steps to reduce greenhouse gas emissions to prevent these negative impacts of changing climate, including moving the State to 100 percent clean energy by 2045. This gives local governments the opportunity to achieve greenhouse gas emission reductions with a climate positive impact by powering buildings from clean electricity. The proposed Reach Code would ensure that new buildings use cleaner sources of energy that are greenhouse gas free, in line with Mitigation

Measure GHG-1 of the General Plan Environmental Impact Report. The proposed Electric Vehicle Reach Code ensures that new buildings can charge a greater number of electric vehicles beyond State code requirements and reduce greenhouse gas emissions. These climatic conditions along with the greenhouse emissions generated from structures in both the residential and non-residential sectors requires exceeding the energy standards for building construction established in the 2022 California Buildings Standards Code.

6. Due to the Town's local climatic, geological, geographical, and topographical conditions, mitigation measures are necessary such as automatic fire suppression systems, communications systems, access to buildings, seismic protection, safety controls for hazardous materials, and other safeguards in order to minimize the risks to citizens, firefighters, and property resulting from the severity of a fire threat and potential delays in responding to such threats.

Section 2.

CHAPTER 6, Buildings and Building Regulations of the Los Gatos Town Code IS DELETED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING:

Chapter 6 BUILDINGS AND BUILDING REGULATIONS
Table of Contents

ARTICLE I. (reserved)

ARTICLE II. ADMINISTRATION OF CODES

Sec. 6.20.010. Conflicting Provisions.

When any provisions of the administrative sections of the codes adopted in this Chapter 6 are in conflict with the administrative provisions found in the California Administrative or Building Codes, the California Administrative and Building Codes shall apply. If any code adopted in this Chapter does not include administrative provisions, the administrative provisions of the California Administrative and Building Codes shall apply.

ARTICLE III. CALIFORNIA BUILDING CODE

Sec. 6.30.010. Adopted.

The 2021 International Building Code (IBC) as amended by the State of California Building Standards Commission and known as the 2022 California Building Code (CBC), California Code of Regulations Title 24, Part 2, Volumes 1 and 2, with Appendices I, and J, are adopted by reference and amended as follows.

The 2022 California Administrative Code, California Code of Regulations, Title 24, Part 1, is also adopted by reference.

Sec. 6.30.020. Fire Protection Systems.

Section 903.2 of the California Building Code adopted by this article is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21.

For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:
    a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.
    b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.
    c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:
        i. Noncombustible construction.
        ii. Maximum 5,000 square feet in building area.
        iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.
        iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.
    d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

   Exception: Accessory Dwelling Unit, provided that all of the following are met:

   a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.
   b. The existing primary residence does not have automatic fire sprinklers.
   c. The accessory dwelling unit does not exceed 1,200 square feet in size.
   d. The unit is on the same lot as the primary residence.
   e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.

4. An automatic sprinkler system shall be installed throughout existing buildings with a Group R fire area when additions are made causing the fire area to exceed 3,600 square feet.

   Exception: Additions where all of the following are met:

   a. Building addition does not exceed 500 square feet.
   b. The resultant structure meets all water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

5. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, L, M, S and U buildings and structures, when additions are made that increase the fire area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.

6. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

   [1] Life Safety – Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

   [2] Fire Risks – Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased

fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

Add Section 903.2.11.7 as follows:

903.2.11.7 Chemical Fume Hood Fire Protection.
Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled
2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

Amend Section 907.8 as follows:

907.8 Inspection, testing and maintenance.
The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with California Fire Code Section 907.8.1 through 907.8.4 and NFPA 72. Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.

Sec. 6.30.025 Smoke Control Systems

Section 909.22.1 is added as follows:

909.22.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing must occur at least annually.

Sec. 6.30.030. Roof Drainage.

Section 1502 is amended to add Section 1502.5 as follows:

Section 1502.5 Over Public Property.

Roof drainage water from a building shall not be permitted to flow over public property.

Exception(s): 1) Group R3, and Group U Occupancies
2) Other occupancies where the drainage plan and method of drainage have been approved by the “Building Official."

Sec. 6.30.040. **Roof Covering Requirements in a Wildland-Urban Interface Fire Area and other areas.**

Section 1505.1.2 is amended as follows:

1505.1.2 Roof coverings within all other areas.
The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class A.

707A.10 is amended as follows:

707A.10 Underside of appendages. The underside of overhanging appendages shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed under-floor shall be protected by one or more of the following:

1. Noncombustible material.
2. Ignition-resistant material. The ignition-resistant material shall be labeled for exterior use and shall meet the requirements of Section 704A.2.
3. Fire-retardant-treated wood. The fire-retardant-treated wood shall be labeled for exterior use and shall meet the requirements of Section 2303.2.
4. Materials approved for not less than 1-hour fire-resistance-rated construction on the exterior side, as tested in accordance with ASTM E119 or UL 263.
5. One layer of 5/8-inch (15.9 mm) Type X gypsum sheathing applied behind the exterior covering on the underside of the appendage projection.
6. The exterior portion of a 1-hour fire-resistance-rated exterior assembly, as tested in accordance with ASTM E119 or UL 263, applied to the underside of the appendage, including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual.
7. The underside of an appendage assembly that meets the performance criteria in Section 707A.11 when tested in accordance with the test procedures set forth in ASTM E2957.
8. The underside of an appendage assembly that meets the performance criteria in accordance with the test procedures set forth in SFM Standard 12-7A-3.

   Exception to Section 707A.10: Structural columns and beams do not require protection when constructed with sawn lumber or glue laminated wood with the smallest minimum nominal dimension of 4 inches (102 mm). Sawn or glue-laminated planks shall be splined, tongue-and-groove, or set close together and well spiked.

Sec. 6.30.060. Concrete Strength.

Section 1705.3, Exception 1 is amended as follows:

Exception: Special inspections and tests shall not be required for:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock where the structural design of the footing is based on a specified compressive strength, f'c, not more than 2,500 pounds per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

Sec. 6.30.070 Limits on methods using Gypsum Board and Cement Plaster

Table 2308.6.1 Wall Bracing Requirements is amended as follows:

The title of Table 2308.6.1 is amended to read:

TABLE 2308.6.1[a, f, g]

Footnotes "f" and "g" are added to Table 2308.6.1, to read:

f. Methods PBS, HPS, and SFB are not permitted in Seismic Design Categories D or E.
g. Methods GB, DWB and PCP are not permitted in Seismic Design Category E.

Sec. 6.30.085. Swimming Pools, Spas, and Hot Tubs:

Section 3109 Swimming Pools Spas and Hot Tubs is adopted in its entirety.

Sec. 6.30.090. IBC Oversight. The California adoption of the new 2021 International Building Code may have inadvertently eliminated some construction requirements by oversight or erroneous reference to another code. In cases where the code adoption has inadvertently deleted or missed referenced necessary construction requirements, the Town of Los Gatos Building Official may authorize use of construction requirements from the last previously adopted International Codes.

Sec. 6.30.170 Schedule of Permit Fees:

Section 109.2 is amended as follows:

Section 109.2 Schedule of permit fees. Administration Chapter 1, Division II, Section 109.2 of the 2022 California Building Code adopted by this article states that "… a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority (Town of Los Gatos).

109.7. Plan Review Fees.

Section 109.7 is added as follows:

When submittal documents are required by Section 109, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. Said plan review fee shall be 65 percent of the building permit fee. The plan review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the per hour plan review rate as adopted by the Town of Los Gatos.

Sec. 6.30.180. Refunds:

Administrative Chapter 1, Section 109.6 of the 2022 California Building Code adopted by this Article is amended to add Section 109.6.1.

Section 109.6.1 is added as follows:

109.6.1. Refunds. The building official may authorize refunds of Building Division fees which were erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work or inspections has been done under an issued permit.

The building official may authorize refunding of not more than 80 percent of the collected plan review fee when the plan check application is withdrawn or cancelled prior to any plan review work being done.

The building official shall not authorize refunding of any collected fee until a written request for a refund by the original permittee or applicant is received. Requests must be received no later than 180 days after the date of fee payment.

ARTICLE IV. PLUMBING CODE

Sec. 6.40.010. Adopted.

The Uniform Plumbing Code, 2021 Edition, as amended by the State of California Building Standards Commission, California Code of Regulations, Title 24, Part 5, as the 2022 California Plumbing Code is adopted with Appendix Chapters A, B, D, G, I, K, and L only.

Sec. 6.40.020. Backflow protection.

Section 710.1 is amended as follows:

710.1. Backflow Protection. Drainage piping serving fixtures which have flood level rims less than twelve (12) inches (304.8 mm) above the elevation of the next upstream manhole and/or flushing inlet cover at the public or private sewer system serving such drainage piping shall be protected from backflow of sewage by installing an approved backwater valve. Fixtures above such elevation shall not discharge through the backwater valve, unless first approved by the Administrative Authority. Cleanouts for drains that pass through a backwater valve shall be clearly identified with a permanent label stating, "backwater valve downstream."

ARTICLE V. MECHANICAL CODE

Sec. 6.50.010. Adopted.

The Uniform Mechanical Code (UMC), 2021 Edition, amended by the State of California Building Standards Commission, California Code of Regulations, Title 24, Part 4, as the 2022 California Mechanical Code is adopted by reference.

ARTICLE VI. ELECTRICAL CODE

Sec. 6.60.010. Adopted.

The National Electrical Code, 2020 Edition, as amended by the State of California Building Standards Commission, California Code of Regulations, Title 24, Part 3, as the 2022 California Electrical Code is adopted by reference.

ARTICLE VII. ENERGY CODE

Sec. 6.70.010. Adopted.

The 2022 California Energy Code, California Code of Regulations, Title 24, Part 6 is adopted by reference.

ARTICLE VIII. REFERENCE STANDARDS CODE

Sec. 6.80.010. Adopted.

The 2022 California Referenced Standards Code, California Code of Regulations, Title 24, Part 12, is adopted by reference.

ARTICLE IX. HISTORICAL BUILDING CODE

Sec. 6.90.010. Adopted.

The 2022 California Historical Building Code, California Code of Regulations, Title 24, Part 8 including Appendix A is adopted by reference.

ARTICLE X. EXISTING BUILDING CODE

Sec. 6.100.010. Adopted.

The 2021 International Existing Building Code (IEBC) as amended by the State of California Building Standards Commission and known as the 2022 California Existing Building Code, California Code of Regulations, Title 24, Part 10, including Chapter 14, Appendices A2, A3, A4, and A5, is adopted by reference.

ARTICLE XI. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 6.110.010. Adopted.

The 2022 International Property Maintenance Code, as published by International Code Council (ICC), is adopted by reference and amended as follows.

Sec. 6.110.020. Application of other codes.

Section 102.3 is amended as follows:

Sec. 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the California Building Code, California Plumbing Code, California Electrical Code, and California Mechanical Code. Nothing in this code shall be construed to cancel, modify or set aside any provisions of the Town of Los Gatos Zoning Code.

ARTICLE XII. CALIFORNIA GREEN BUILDING STANDARDS CODE

Sec. 6.120.010. Adopted.

The 2022 California Green Building Standards Code, California Code of Regulations, Title 24, Part 11, Chapters 1 through 8 only, are adopted by reference and amended as follows.

Sec. 6.120.020 Additions and alterations.

301.1.1 is amended as follows:

301.1.1 Additions and alterations. [HCD] The mandatory provisions of Chapter 4 shall be applied to additions or alterations of existing residential buildings where the addition or alteration increases the building's conditioned area, volume, or size. The requirements shall apply only to and/or within the specific area of the addition or alteration.

The mandatory provisions of Section 4.106.4.2 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing multifamily buildings.

The mandatory provisions of Section 5.106.5.3 may apply to additions or alterations of existing parking facilities or the addition of new parking facilities serving existing nonresidential buildings.

NOTE: Repairs including, but not limited to, resurfacing, restriping, and repairing or maintaining existing lighting fixtures are not considered alterations for the purpose of this section.

Sec. 6.120.030 EV Charging Definitions

Section 202 Definitions are amended as follows:

AFFORDABLE HOUSING. Residential buildings that entirely consist of units below market rate and whose rents or sales prices are governed by local agencies to be affordable based on area median income.

AUTOMATIC LOAD MANAGEMENT SYSTEM (ALMS). A control system designed to manage load across one or more electric vehicle supply equipment (EVSE), circuits, panels and to share electrical capacity and/or automatically manage power at each connection point. ALMS systems shall be designed to deliver no less than 3.3 kVa (208/240 volt, 16-ampere) to each EV Capable, EV Ready or EVCS space served by the ALMS, and meet the requirements of California Electrical Code Article 625. The connected amperage to the building site for the EV charging infrastructure shall not be lower than the required connected amperage per California Green Building Standards Code, Title 24 Part 11.

DIRECT CURRENT FAST CHARGING (DCFC). A parking space provided with electrical infrastructure that meets the following conditions:

i. A minimum of 48 kVa (480 volt, 100-ampere) capacity wiring.
ii. Electric vehicle supply equipment (EVSE) located within three (3) feet of the parking space providing a minimum capacity of 80-ampere.

ELECTRIC VEHICLE CHARGING STATION (EVCS). One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles. Electric vehicle charging stations are not considered parking spaces. A parking space that includes installation of electric vehicle supply equipment (EVSE) at an EV Ready space. An EVCS space may be used to satisfy EV Ready space requirements. EVSE shall be installed in accordance with the California Electrical Code, Article 625**.**

ELECTRIC VEHICLE (EV) READY SPACE. A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger.

ELECTRIC VEHICLE (EV) CAPABLE SPACE. A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.

ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). The conductors, including the ungrounded, grounded and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

LEVEL 2 ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE). [HCD] The 208/240 Volt 40-ampere branch circuit, and the electric vehicle charging connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

LEVEL 2 EV CAPABLE. A parking space provided with electrical infrastructure that meets the following requirements:

i. Conduit that links a listed electrical panel with sufficient capacity to a junction box or receptacle located within three (3) feet of the parking space.
ii. The conduit shall be designed to accommodate at least 8.3 kVa (208/240 volt, 40-ampere) per parking space. Conduit shall have a minimum nominal trade size of 1 inch inside diameter and may be sized for multiple circuits as allowed by the California Electrical Code. Conduit shall be installed at a minimum in spaces that will be inaccessible after construction, either trenched underground or where penetrations to walls, floors, or other partitions would otherwise be required for future installation of branch circuits, and such additional elements deemed necessary by the Building Official. Construction documents shall indicate future completion of conduit from the panel to the parking space, via the installed inaccessible conduit.
iii. The electrical panel shall reserve a space for a 40-ampere overcurrent protective device space(s) for EV charging, labeled in the panel directory as “EV CAPABLE.”
iv. Electrical load calculations shall demonstrate that the electrical panel service capacity and electrical system, including any on-site distribution transformer(s), have sufficient capacity to simultaneously charge all EVs at all required EV spaces at a minimum of 40 amperes.
v. The parking space shall contain signage with at least a 12” font adjacent to the parking space indicating the space is EV Capable.

LEVEL 1 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

i. A minimum of 2.2 kVa (110/120 volt, 20-ampere) capacity wiring.
ii. A receptacle labeled “Electric Vehicle Outlet” or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.

iii. Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space**.**

LEVEL 2 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

i. A minimum of 8.3 kVa (208/240 volt, 40-ampere) capacity wiring.
ii. A receptacle labeled "Electric Vehicle Outlet" or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 30-ampere.

LOW POWER LEVEL 2 EV READY. A parking space that is served by a complete electric circuit with the following requirements:

i. A minimum of 4.1 kVA (208/240 Volt, 20-ampere) capacity wiring.
ii. A receptacle labeled "Electric Vehicle Outlet" or electric vehicle supply equipment located within three (3) feet of the parking space. If EVSE is provided the minimum capacity of the EVSE shall be 16-ampere.
iii. Conduit oversized to accommodate future Level 2 EV Ready (208/240 volt, 40-ampere) at each parking space.

LOW POWER LEVEL 2 ELECTRIC VEHICLE (EV) CHARGING RECEPTACLE. [HCD] A 208/240 Volt 20- ampere minimum branch circuit and a receptacle for use by an EV driver to charge their electric vehicle or hybrid electric vehicle.

OFF-STREET LOADING SPACES. [BSC-CG, DSA-SS] An area, other than a public street, public way, or other property (and exclusive of off-street parking spaces), permanently reserved or set aside for the loading or unloading of motor vehicles, including ways of ingress and egress and maneuvering areas. Whenever the term "loading space" is used, it shall, unless the context clearly requires otherwise, be construed as meaning off-street loading space. This excludes designated passenger loading/unloading.

Sec. 6.120.040 Residential EV Charging

DIVISION 4.1, PLANNING AND DESIGN is amended as follows:

SECTION 4.106 SITE DEVELOPMENT

4.106.4 Electric vehicle (EV) charging. Residential construction shall comply with Section 4.106.4.1 or 4.106.4.2, and 4.106.4.3, to facilitate future installation and use of EV chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the *California Electrical Code*, Article 625. Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis, where the local enforcing agency has determined EV charging and infrastructure are not feasible based upon one or more of the

following conditions:

1.1. Where there is no local utility power supply, or the local utility is unable to supply adequate power.

1.2. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 4.106.4, may increase construction cost by an average of $4,500 per parking space for market rate housing or $400 per parking space for affordable housing. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

2. Accessory Dwelling Units (ADU) and Junior Accessory Dwelling Units (JADU) without additional parking facilities and without electrical panel upgrade or new panel installation. Detached ADUs, attached ADUs, and JADUs without additional parking but with electrical panel upgrades or new panels must have reserved breakers and electrical capacity according to the requirements of 4.106.4.1.

3. Multifamily residential R-2 building projects that have approved entitlements before the code effective date. shall provide, based on the total number of parking spaces, at least five percent (5%) with EVCS Level 2 EV Ready, twenty-five percent (25%) with Low Power Level 2 EV Ready, and ten percent (10%) with Level 2 EV Capable according to 2022 California Green Building Standards Code requirements.

4.106.4.1 One- and two-family dwellings and town-houses with private garages.

4.106.4.1.1 New Construction. One parking space provided shall be a *Level 2 EV Ready* space. If a second parking space is provided, it shall be provided with a *Level 1 EV Ready space.*

4.106.4.1.2. Existing Building. Parking additions or electrical panel upgrades must have reserved breaker spaces and electrical capacity according to the requirements of 4.106.4.1.1.

4.106.4.2 Multifamily dwellings with residential parking facilities. Requirements apply to parking spaces that are assigned or leased to individual dwelling units, as well as unassigned residential parking. Visitor or common area parking is not included.

4.106.4.2.1 New Construction. Forty percent (40%) of dwelling units with parking spaces shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Sixty percent (60%) of dwelling units with parking spaces shall be provided with at minimum a Level 1 EV Ready space. EV ready spaces and EVCS in multifamily developments shall comply with California Building Code, Chapter 11A, Section 1109A. EVCS shall comply with the accessibility provisions for EV chargers in the California Building Code, Chapter 11B.

Note: The total number of EV spaces should be one-hundred percent (100%) of dwelling units or one-hundred percent (100%) of parking spaces, whichever is less.

4.106.4.2.2 Existing Buildings.

1. When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten percent (10%) of the total number of parking spaces added or altered shall be EVCS. Any existing EV Capable spaces on the building property required by the locally adopted codes at the time of building permit shall be upgraded to a minimum of Level 1 EV Ready. Upgrades shall be required at currently designated vehicle parking spaces. Upgrades shall be required for remaining parking spaces after meeting the accessibility requirements of California Building Code Chapters 11A and 11B.
2. When new parking facilities are added and ALMS is installed, the ALMS system must be designed to deliver no less than 2.2 kVa (110/120 volt, 20-ampere).

4.106.4.3 Electric vehicle charging stations (EVCS).

Electric vehicle charging stations required by Section 4.106.4.2 shall comply with Section 4.106.4.3.

Exception: Electric vehicle charging stations serving public accommodations, public housing, motels, and hotels shall not be required to comply with this section. See *California Building Code*, Chapter 11B, for applicable requirements.

4.106.4.3.1 Location.

EVCS shall comply with at least one of the following options:

1. The charging space shall be located adjacent to an accessible parking space meeting the requirements of the *California Building Code*, Chapter 11A, to allow use of the EV charger from the accessible parking space.
2. The charging space shall be located on an accessible route, as defined in the *California Building Code*, Chapter 2, to the building.

   Exception: Electric vehicle charging stations designed and constructed in compliance with the *California Building Code*, Chapter 11B, are not required to comply with Section 4.106.4.3.1 and Section 4.106.4.3.2 Item 3.

4.106.4.3.2 Dimensions.

The charging spaces shall be designed to comply with the following:

1. The minimum length of each EV space shall be 18 feet (5486 mm).
2. The minimum width of each EV space shall be 9 feet (2743 mm).
3. One in every 25 charging spaces, but not less than one, shall also have an 8- foot (2438 mm) wide minimum aisle. A 5-foot (1524 mm) wide minimum aisle shall be permitted provided the minimum width of the EV space is 12 feet (3658 mm).
   a. Surface slope for this EV space and the aisle shall not exceed 1 unit vertical in

48 units horizontal (2.083 percent slope) in any direction.

Exception: Where the City's Municipal or Zoning Code permits parking space dimensions that are less than the minimum requirements stated in this section 4.106.4.3.2, and the compliance with which would be infeasible due to particular circumstances of a project, an exception may be granted while remaining in compliance with California Building Code Section Table 11B-228.3.2.1 and 11B-812, as applicable.

4.106.4.4 Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 4.106.4.1 and 4.106.4.2. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

Sec. 6.120.050 Non-Residential EV Charging

DIVISION 5.1, PLANNING AND DESIGN is amended as follows:

SECTION 5.106 SITE DEVELOPMENT

5.106.5.3 Electric vehicle (EV) charging. ~~**[N]**~~ Construction to provide electric vehicle infrastructure and facilitate electric vehicle charging shall comply with Section 5.106.5.3.1 and shall be provided in accordance with regulations in the *California Building Code* and the *California Electrical Code*. Accessible EVCS shall be provided in accordance with the *California Building Code Chapter 11B Section 11B-228.3*. Calculation for spaces shall be rounded up to the nearest whole number.

Exceptions:

1. On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:
   a. Where there is no local utility power supply.
   b. Where the local utility is unable to supply adequate power.
   c. Where there is evidence suitable to the local enforcement agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost by an average of $4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

2. Parking spaces accessible only by automated mechanical car parking systems are not required to comply with this code section.

5.106.5.3.1 Nonresidential Occupancy Class B Offices – Shared Parking Space.

5.106.5.3.1.1 New Construction. Twenty percent (20%) of parking spaces shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Thirty percent (30%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.1.2 Existing Buildings. When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten percent (10%) of the total number of parking spaces added or altered shall be EVCS with Level 2 EV Ready. Any existing EV Capable spaces on the building property required by the locally adopted codes at the time of building permit shall be upgraded to a minimum of Level 1 EV Ready. Upgrades shall be required at currently designated vehicle parking spaces. Upgrades shall be required for remaining parking spaces after meeting the accessibility requirements of California Building Code Chapters 11A and 11B.

5.106.5.3.2 Hotel and Motel Occupancies – Shared Parking Facilities.

5.106.5.3.2.1 New Construction. Five percent (5%) of parking spaces provided shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Twenty-five percent (25%) of parking spaces provided shall be Low Power Level 2 EV Ready space. Ten percent (10%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.2.2 Existing Buildings. When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten percent (10%) of the total number of parking spaces added or altered shall be EVCS with Level 2 EV Ready. Any existing EV Capable spaces on the building property required by the locally adopted codes at the time of building permit shall be upgraded to a minimum of Level 1 EV Ready. Upgrades shall be required at currently designated vehicle parking spaces. Upgrades shall be required for remaining parking spaces after meeting the accessibility requirements of California Building Code Chapters 11A and 11B.

5.106.5.3.3 All Other Nonresidential Occupancies – Shared Parking Facilities.

5.106.5.3.3.1 New Construction. Ten percent (10%) of parking spaces provided shall be EVCS with Level 2 EV Ready. ALMS shall be permitted to reduce load when multiple vehicles are charging. Ten percent (10%) of parking spaces provided shall be Level 2 EV Capable.

5.106.5.3.3.2 Existing Buildings. When new parking facilities are added, or electrical systems or lighting of existing parking facilities are added or altered and the work requires a building permit, ten percent (10%) of the total number of parking spaces added or altered shall be EVCS with Level 2 EV Ready. Any existing EV Capable spaces on the building property required by the locally adopted codes at the time of building permit shall be upgraded to a minimum of Level 1 EV Ready. Upgrades shall be required at currently designated vehicle parking spaces. Upgrades shall be required for remaining parking spaces after meeting the accessibility requirements of California Building Code Chapters 11A and 11B.

5.106.5.3.4 Direct current fast charging stations. One DCFC may be substituted for up to five (5) EVCS to meet the requirements of 5.106.5.3.1, 5.106.5.3.2, and 5.106.5.3.3. Where ALMS serve DCFC stations, the power demand from the DCFC shall be prioritized above Level 1 and Level 2 spaces.

5.106.5.4 Electric vehicle charging readiness: medium-duty and heavy-duty. [N] Construction shall comply with Section 5.106.5.4.1 to facilitate future installation of electric vehicle supply equipment (EVSE). Construction for warehouses, grocery stores and retail stores with planned off-street loading spaces shall also comply with Section 5.106.5.4.1 for future installation of medium- and heavy-duty EVSE. Accessible EVCS shall be provided in accordance with the *California Building Code Chapter 11B Section 11B-228.3.*

Exceptions:

1**.** On a case-by-case basis where the local enforcing agency has determined compliance with this section is not feasible based upon one of the following conditions:

a. Where there is no local utility power supply.

b. Where the local utility is unable to supply adequate power.

c. Where there is evidence suitable to the local enforcing agency substantiating that additional local utility infrastructure design requirements, directly related to the implementation of Section 5.106.5.3, may increase construction cost by an average of $4,500 per parking space. EV infrastructure shall be provided up to the level that would not exceed this cost for utility service.

5.106.5.4.1 Warehouses, grocery stores and retail stores with planned off-street loading spaces. [N] In order to avoid future demolition when adding EV supply and distribution equipment, spare raceway(s) or busway(s) and adequate capacity for transformer(s), service panel(s) or subpanel(s) shall be installed at the time of construction in accordance with the *California Electrical Code*. Construction plans and specifications shall include, but are not limited to, the following:

1. The transformer, main service equipment and subpanels shall meet the minimum power requirement in Table 5.106.5.4.1 to accommodate the dedicated branch circuits for the future installation of EVSE.
2. The construction documents shall indicate one or more location(s) convenient to the planned off-street loading space(s) reserved for medium- and heavy-duty EV charging cabinets and charging dispensers, and a pathway reserved for routing of conduit from the termination of the raceway(s) or busway(s) to the charging cabinet(s) and dispenser(s), as shown in Table 5.106.5.4.1.
3. Raceway(s) or busway(s) originating at a main service panel or a subpanel(s) serving the area where potential future medium- and heavy-duty EVSE will be located and shall terminate in close proximity to the potential future location of the charging equipment for medium- and heavy-duty vehicles.

4. The raceway(s) or busway(s) shall be of sufficient size to carry the minimum additional system load to the future location of the charging for medium- and heavy-duty EVs as shown in Table 5.106.5.4.1.

TABLE 5.106.5.4.1, Raceway Conduit and Panel power Requirements for Medium-and-Heavy-Duty EVSE [N]

Building type	Building Size (sq. ft.)	Number of Off-street loading spaces	Additional capacity Required (kVa) for Raceway & Busway and Transformer & Panel
Grocery	10,000 to 90,000	1 or 2	200
		3 or Greater	400
	Greater than 90,000	1 or Greater	400
Retail	10,000 to 135,000	1 or 2	200
		3 or Greater	400
	Greater than 135,000	1 or Greater	400
Warehouse	20,000 to 256,000	1 or 2	200
		3 or Greater	400
	Greater than 256,000	1 or Greater	400

Sec. 6.120.060 All Electric Construction Definitions

Section 202 Definitions are amended as follows:

ADDITION. An extension or increase in floor area of an existing building or structure.

ALL-ELECTRIC BUILDING. A building that contains no *combustion equipment* or plumbing for combustion equipment serving space heating (including fireplaces), water heating (including pools and spas), cooking appliances (including barbeques), and clothes drying, within the building or building property lines, and instead uses electric heating appliances for service.

ALTERATION OR ALTER. Any construction or renovation to an existing structure other than repair for the purpose of maintenance or addition.

COMBUSTION EQUIPMENT. Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses *fuel gas*.

COMMERCIAL FOOD HEAT-PROCESSING EQUIPMENT. Equipment used in a food establishment for heat-processing food or utensils and that produces grease vapors, steam, fumes, smoke, or

odors that are required to be removed through a local exhaust ventilation system, as defined in the California Mechanical Code.

ELECTRIC HEATING APPLIANCE. A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.

FUEL GAS. A gas that is natural, manufactured, liquefied petroleum, or a mixture of these.

NEWLY CONSTRUCTED (or NEW CONSTRUCTION). A newly constructed building (or new construction) does not include additions, alterations, or repairs.

Sec. 6.120.070 Residential All Electric Construction

SECTION 4.106 SITE DEVELOPMENT

Section 4.106.5, 4.106.5.1, and 4.106.5.2 are added as follows:

4.106.5 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 4.106.5.1 or 4.106.5.2 so that they do not use combustion equipment or are ready to accommodate installation of electric heating appliances.

4.106.5.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Substantial renovations/alterations that include replacement of over 50 percent of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing Building Code Section 202; or where over 50 percent of the existing framing above the sill plate is removed or replaced for purposes other than repair, shall be all-electric buildings, and shall meet the new construction requirements of California Code of Regulations, Title 24, as modified by the Town of Los Gatos, including Reach Codes. If either of these criteria are met within a three-year period, measured from the date of the most recent previously obtained permit final date, the project shall be subject to the all-electric building and all new construction requirements.

Tenant improvements shall not be considered new construction. The final determination whether a project meets the definition of substantial reconstruction/alteration shall be made by the local enforcing agency.

Exceptions:

1. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building system under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local

enforcing agency may grant a modification. The applicant shall comply with Section 4.106.5.2.

Inactive Fuel Gas Infrastructure may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive Fuel Gas Infrastructure shall not be activated, have a meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the Fuel Gas Infrastructure is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The local enforcing authority shall have the authority to approve alternative materials, design and methods of construction or equipment per California Building Code Section 104.

4.106.5.2 Requirements for combustion equipment.
Where combustion equipment is allowed per Exceptions under 4.106.5.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an electrical heating appliance in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (e.g. “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

Sec. 6.120.080 Nonresidential All Electric Construction

SECTION 5.106 SITE DEVELOPMENT

Section 5.106.13, 5.106.13.1, and 5.106.13.2 are added as follows:

5.106.13 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 5.106.13.1 or 5.106.13.2 so that they do not use *combustion equipment* or are ready to facilitate future electrification.

5.106.13.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Substantial renovations/alterations that include replacement of over 50 percent of the existing foundation for purposes other than a repair or reinforcement as defined in California Existing Building Code Section 202; or where over 50 percent of the existing framing above the sill plate is removed or replaced for purposes other than repair, shall be all-electric buildings, and shall meet the new construction requirements of California Code of Regulations, Title 24, as modified by the Town of Los Gatos, including Reach Codes. If either of these criteria are met within a three-year period, measured from the date of the most recent previously obtained permit final date, the project shall be subject to the all-electric building and all new construction requirements.

Tenant improvements shall not be considered new construction. The final determination whether a project meets the definition of substantial reconstruction/alteration shall be made by the local enforcing agency.

Exceptions:

1. Nonresidential buildings containing kitchens located in a place of public accommodation, as defined in the California Building Code Chapter 2, may apply to the local enforcing agency for a modification to install commercial food heat-processing equipment served by fuel gas. The local enforcing agency may grant the modification if they find:
    a. A business-related need to cook with combustion equipment; and
    b. The need cannot be achieved equivalently with an electric heating appliance; and
    c. The applicant has installed energy efficient equipment based on Energy Star or California Energy Wise qualifications, as available.
    d. The applicant shall comply with Section 5.106.13.2.

2. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building system under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the local

enforcing agency may grant a modification. The applicant shall comply with Section 5.106.13.2.

3. Non-residential buildings that will be constructed to Office of Statewide Health Planning and Development (OSHPD) Hospital standards ("OHSPD 1" as described in California Building Code Vol. 1, section 1224) may contain non-electric space-conditioning, water-heating, and process load systems.

Inactive Fuel Gas Infrastructure may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive Fuel Gas Infrastructure shall not be activated, shall not have a meter installed, and/or shall not otherwise be used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the Fuel Gas Infrastructure is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The local enforcing agency shall have the authority to approve alternative materials, design and methods of construction or equipment per California Building Code Section 104.

5.106.13.2. Requirements for combustion equipment.
Where combustion equipment is allowed per exceptions under Section 5.106.13.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an electrical heating appliance in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with "For Future Electrical Appliance"; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (e.g. "Reserved for Future Electric Range"), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s),

shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

ARTICLE XIII.

Sec. 6.130.010. Reserved. ARTICLE XIV. BUILDING RELOCATION CODE OF THE TOWN

DIVISION 1. GENERALLY

Sec. 6.140.010. Title.

This article is the Building Relocation Code of the Town of Los Gatos.

Sec. 6.140.020. Interference with demolition or removal of building.

It shall be unlawful for any person to interfere with or obstruct the Building Official, any person engaged by the Town, or any representative of any surety, engaged in inspection or in the work of completing, demolishing, or removing any building or structure for which a building relocation permit has been issued under Division 2 of this article, after a default has occurred in timely completion of the work or in the performance of the other terms or conditions of the permit.

DIVISION 2. PERMIT

Sec. 6.140.030. Required, exceptions.

It shall be unlawful for any person to move any building or structure on any parcel of land in the Town (except a contractor's tool house, construction building or similar structure which is moved as construction work requires) without first obtaining a permit and posting a bond as provided in this article.

Sec. 6.140.040. Application.

An application for a permit required by the provisions of this division shall be made in writing on the form provided by the Town. The application shall:

(1) Be signed by the permittee or the permittee's authorized agent (who may be required to submit evidence proving authority);
(2) Be accompanied by plans, photographs or other substantiating data as reasonably may be required by the Building Official; and

(3) Contain such information as reasonably may be required by the Building Official in order to carry out the purposes of this chapter.

Sec. 6.140.050. Review of application, duty of applicant.

The application for a permit required by the provisions of this division, including the plans and other data filed with it, shall be checked by the Building Official, who is authorized to conduct any investigation in connection therewith may be deemed reasonably necessary. If, when the Building Official has completed such investigation and has notified the applicant that a permit will issue, the applicant fails for a period of sixty (60) days to post the bond and any other instrument required by this division, the application shall become void.

Sec. 6.140.060. Issuance, fees.

(a) Subject to the requirements contained in this article, if in the judgment of the Building Official the conditions of the building or structure can be effectively and practically repaired or restored to comply with this Code, the Building Official shall issue a permit to the owner of the property where the building or structure is to be located.
(b) A permit fee shall be paid at the time of issuance of the permit. The amount of the fee shall be fixed by resolution of the Town Council.

Sec. 6.140.070. When issuance prohibited.

The Building Official shall not issue a permit under this division for any building or structure:

(1) Which does not or cannot be repaired or modified to comply with this code, as it presently exists or hereafter may be amended;
(2) Which is so constructed or in such condition as to be a substandard building;
(3) Which is infested with pests or is unsanitary;
(4) Which is so dilapidated, defective, unsightly, or in such a condition of deterioration or disrepair that its relocation at the proposed site would cause appreciable harm to or be materially detrimental to the existing improvements on nearby property;
(5) If the proposed use is prohibited by the zoning ordinance;
(6) If the structure is of a type prohibited at the site of the proposed relocation by this code, or any other statute or ordinance; or
(7) If the structure or site has not received approval as prescribed in sections 29.20.140 through 29.20.155 of the Town Code. The body granting such approval shall first consider and determine that the proposed site and building are compatible in use, size and architecture with other buildings and structures in the area of the proposed relocation.

Sec. 6.140.080. Conditions of issuance.

In connection with the issuance of any permit under this division, the Building Official or the body granting architecture and site approval or both may attach to the permit such conditions

which are necessary to assure compliance with the purposes of this article and the zoning ordinance, and to assure that the building or structure when relocated will be compatible with and not detrimental or injurious to the buildings or structures in the area of the proposed relocation. Such conditions may include, but are not limited to:
(1) A limitation of the period of time required to complete the work of relocation;
(2) Requirements for changes, alterations, additions or repairs;
(3) The providing of all utility services by the time the building relocation is finished;
(4) Provision for any improvement work or dedication provided for by the zoning ordinance;
(5) The applicant's written agreement to indemnify the Town for any and all damages or injury to Town property incurred in the course of the moving, including but not limited to damage or injury to streets, thoroughfares, pavements, curbs, gutters, sidewalks, sewers, public lighting equipment and plants.

Sec. 6.140.090. Bond required.

(a) As a condition precedent to the issuance of any building relocation permit, the applicant shall post a surety bond, the form of which is subject to approval by the Town Attorney, issued by a surety company conducting business in the State. The penal sum of the bond shall be an amount equal to the estimated cost, plus ten (10) percent, of all the work required to perform the relocation to comply with all of the conditions of the permit. The cost estimate is made by the Building Official.
(b) The applicant, in lieu of posting a surety bond, may deposit with the town an amount equal to the required bond amount, in cash.

Sec. 6.140.100. Conditions of bond.

A surety bond shall contain, and any deposit shall be subject to, the following conditions:

(1) All work, including performance of conditions of the permit (except for performance of conditions such as street improvements when provision is made in a contract with the Town to do the work at a later time) shall be performed and completed within one hundred twenty (120) days after the date of issuance of the permit. After that time, the permit expires.
(2) The time limit and expiration date of the permit may be extended for good cause after written request of both the principal and the surety. The request may be made either during or after the one-hundred-twenty-day period. If the Building Official decides to grant the request the Building Official shall notify the principal and surety in writing stating the new deadline. The Building Official need not grant the request if the work is not being done continuously and diligently, or if reasonable progress has not been made.
(3) The term of each bond shall begin on the date the bond instrument is delivered to the town and shall end upon the acceptance by the Building Official of performance of all the terms and conditions of the permit as satisfactory and complete.
(4) The Building Official, the surety and their representatives shall have access to the premises to inspect the progress of the work.

(5) Upon default by the principal, the surety shall be required to complete the work and to perform all conditions of the permit. The principal shall give the surety right-of-entry onto the site for those purposes.
(6) In the event of any default in the performance of any term or condition of the permit, or failure to complete the work before the permit expires, the surety or any person employed or engaged on its behalf, or the building official, or any person employed or engaged on behalf of the Town may go on the premises to complete the required work or to remove or demolish the building or structure, and clear, clean and restore the site.

Sec. 6.140.110. Default on bond.

(a) If the permittee as principal on the bond defaults in the performance of the conditions required by the permit, or fails to complete the work before the permit expires, the Building Official shall give notice in writing to the principal and the surety, stating the conditions which have not been complied with and the period of time deemed by the Building Official to be reasonably necessary for the completion of the work.
(b) After receipt of the notice, the surety, within the time therein specified, shall finish the work. When the principal has defaulted in any way, the surety, at its option, in lieu of completing the work required, may remove or demolish the building or structure and clear, clean and restore the site.

Sec. 6.140.120. Bond other than surety bond--Default.

If a deposit has been made as provided in Section 6.140.090, the Building Official shall give notice of default, as provided in section 6.140.110, to the permittee. If the permittee does not perform within the time specified in the notice, the Building Official shall proceed without delay and without further notice or proceeding whatever to use the deposit, or any portion of the deposit necessary to cause the required work to be done by contract or otherwise at the Building Official's discretion, upon the completion of the work. The balance, if any, of the deposit, shall be returned to the depositor or to the depositor's successors or assigns after deducting the cost of the work plus ten (10) percent of the cost, which is an amount to defray the Town's cost in enforcement and administration.

Sec. 6.140.130. Same--Release. When a deposit has been made as provided in Section 6.140.090 and all requirements of the permit have been completed, the Building Official shall return the deposit to the depositor or to the depositor's successors or assigns, except any portion thereof that may have been used or deducted as provided in this section.

ARTICLE XV. CALIFORNIA RESIDENTIAL BUILDING CODE

Sec. 6.150.010. Adopted.

The 2021 International Residential Code (IRC) as amended by the State of California Building Standards Commission and known as the 2022 California Residential Code, California Code of Regulations, Title 24, Part 2.5 including Appendices AH, AK, AO, AQ, AX, and AZ is adopted by reference and amended as follows.

Sec. 6.150.020. Fire Protection Amendments.

R313.2 One- and two-family dwellings automatic fire sprinkler systems is amended as follows:

R313.2 One- and two-family dwellings automatic sprinkler systems.
An automatic sprinkler system shall be installed in all new one- and two-family dwellings and existing one- and two-family dwellings when additions are made that increase the fire area to more than 3,600 square feet.

Exceptions:

1. Accessory Dwelling Unit, provided that all of the following are met:
   1.1. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.
   1.2. The existing primary residence does not have automatic fire sprinklers.
   1.3. The accessory dwelling unit does not exceed 1,200 square feet in size.
   1.4. The unit is on the same lot as the primary residence.
   1.5. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

2. When additions are made to existing structures, causing the fire area to exceed 3,600 square feet, and all of the following are met:
   2.1. Building addition does not exceed 500 square feet.
   2.2. The resultant structure meets all water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

Section R328.7 is amended as follows:

R328.7 Fire detection. Rooms and areas within dwelling units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314. A heat detector, listed and interconnected to the smoke alarms, shall be installed in locations within dwelling units and attached garages where smoke alarms cannot be installed based on their listing.
ESS installed in Group R-3 and townhomes shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section R314.

2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units, and attached garages where smoke alarms cannot be installed based on their listing.

   Exceptions:
   1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.

   2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

R337.7.10 is amended as follows:

R337.7.10 Underside of appendages. The underside of overhanging appendages shall be enclosed to grade in accordance with the requirements of this chapter or the underside of the exposed under-floor shall consist of one of the following:

1. Noncombustible material
2. Ignition-resistant material
3. One layer of 5/8-inch Type X gypsum sheathing applied behind an exterior covering on the underside of the floor projection
4. The exterior portion of a 1-hour fire resistive exterior wall assembly applied to the underside of the floor including assemblies using the gypsum panel and sheathing products listed in the Gypsum Association Fire Resistance Design Manual
5. The underside of a floor assembly that meets the performance criteria in accordance with test procedures set forth in either of the following:
   5.1 SFM Standard 12-7A3; or
   5.2 ASTM E2957

   Exception: Structural column and beams do not require protection when constructed with sawn lumber or glue laminated wood with the smallest minimum nominal dimension of 4 inches (102 mm). Sawn of glue-laminated planks splined, tongue-and-groove, or set close together and well spiked.

R902.1.2 is amended as follows:

R902.1.2 Roof coverings in all other areas. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be fire-retardant roof covering that is at least Class A.

R902.1.3 is amended as follows:

R902.1.3 Roofing requirements in a wildland urban interface fire area. The entire roof covering of every existing structure where more than 50 percent of the total roof area is replaced within any one-year period, the entire roof covering of every new structure, and any roof covering applied in the alteration, repair or replacement of the roof of every existing structure, shall be a fire-retardant roof covering that is at least Class A. Roofing requirements for structures located in a Wildland-Urban Interface Fire Area shall also comply with Section R337.5.

Sec. 6.150.040. Limits on methods using Gypsum Board and Cement Plaster.

Table R602.10.3(3) Bracing Requirements Based On Seismic Design Category is amended as follows:

The title of Table R602.10.3(3) is amended to read:

TABLE R602.10.3(3)[i, j]

Footnotes "i" and "j" are added to Table R602.10.3(3), to read:

i. Methods PBS, HPS, SFB and CS-SFB are not permitted in Seismic Design Categories D_0, D_1, and D_2.
j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D_0, D_1, and D_2 where S_1 is greater than or equal to 0.75.

Section 3.

CHAPTER 9, Fire Prevention and Protection of the Los Gatos Town Code IS DELETED IN ITS ENTIRETY AND REPLACED WITH THE FOLLOWING:

Chapter 9 FIRE PREVENTION AND PROTECTION
Table of Contents

ARTICLE III. CALIFORNIA FIRE CODE

Sec. 9.30.005. California Fire Code

CHAPTER 1, DIVISION II ADMINISTRATION

Sec. 9.30.745 Construction permit fees.
Sec. 9.30.750. Operational permit fees.
Sec. 9.30.780. Final inspection.
Sec. 9.30.785. Violations.

CHAPTER 2

Definitions.

CHAPTER 5

Fire Service Features.

CHAPTER 6

Building Services and Systems.

CHAPTER 7

Fire and Smoke Protection Features.

CHAPTER 9

Fire Protection and Life Safety Systems.

CHAPTER 12

Energy Systems.

CHAPTER 33

Fire Safety During Construction and Demolition.

CHAPTER 49

Requirements for Wildland-Urban Interface Fire Areas.

CHAPTER 50

Hazardous Materials-General Provisions.

CHAPTER 54

Corrosive Materials.

CHAPTER 56

Explosives and Fireworks.

CHAPTER 57

Flammable and Combustible Liquids.

CHAPTER 58

Flammable Gases and Flammable Cryogenic Fluids.

CHAPTER 60

Highly Toxic, and Toxic Materials.

CHAPTER 64

Pyrophoric Materials.

CHAPTER 80

Reference Standards.

APPENDIX B FIRE FLOW REQUIREMENTS FOR BUILDINGS

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

APPENDIX D FIRE APPARATUS ACCESS ROADS

ARTICLE I. IN GENERAL

Sec. 9.10.010. Inclusion in Central Fire District; Definitions.

(a) The Town is included in the Santa Clara County Central Fire Protection District. The Town's inclusion is provided for in Ordinance No. 997 of the Town.

(b) As used in this Code, the following definitions shall apply:

(i) *"Fire Department"* means the Santa Clara County Central Fire Protection District.

(ii) *"Fire Chief"* means the Chief of the Fire Department.

ARTICLE II. ADMISTRATION AND ENFORCEMENT

Sec. 9.20.010. Delegation of duties.

Whenever a provision appears that requires or allows the Fire Chief to do some act or make certain inspections, it is to be construed to authorize the Fire Chief to designate, delegate, and authorize subordinates to perform the act or make the inspection unless the terms of the provision or section provide otherwise.

Sec. 9.20.015. Plan review.

The Fire Department will review all plans submitted to the Town for the construction of all buildings except the interior of dwellings for the purpose of ascertaining and causing to be

corrected any condition liable to cause fire, to endanger life from fire, or to create or perpetuate any violation of the provisions or intent of this Code or State law affecting fire safety.

Sec. 9.20.020. Citations.

Fire Department officers authorized by the Fire Chief and State law may issue citations for violations of this chapter pursuant to the Code.

Sec. 9.20.025. Abatement of hazards by Fire Chief.

(a) If any person fails to comply with the orders of the Fire Chief, or in the event the Fire Chief is unable to locate the responsible person within a reasonable time, the Fire Chief may take such steps to abate the fire hazard as are necessary for the protection of the public health and safety. In no event is notice necessary before abatement when the fire hazard constitutes a clear and present danger to the public welfare.

(b) The cost of any such abatement is a debt to the Town of the owner of the premises or of any person who, by act or inaction, caused or permitted the fire hazard to exist. The cost of the abatement shall become a lien on the premises when the need for the abatement and the amount of the cost have been established in the manner provided in Article 8 of Chapter 6 of this Code.

Sec. 9.20.030. Fees for checking, inspection services and permits.

The Town Council may, by resolution, establish a schedule of fees to be charged and collected for checking and inspection services performed and for the issuance and enforcement of permits and requirements under this chapter.

Sec. 9.20.035. Building Official to forward plans.

The Building Official will provide the Fire Chief with one (1) copy of any plans and specifications required to be reviewed by the Fire Department.

ARTICLE III. CALIFORNIA FIRE CODE

Sec. 9.30.005. California Fire Code

The 2021 International Fire Code (IFC) as amended by the State of California Building Standards Commission and known as the 2022 California Fire Code (CFC), California Code of Regulations Title 24, Part 9, with Appendices B, C, and D, is adopted by reference and amended as follows.

CHAPTER 1, DIVISION II Administration

Amend Chapter 1, Division II of the 2022 California Fire Code as follows:

Sec. 9.30.745 Construction permit fees.

107.2.1 is added as follows:

107.2.1 Construction permit fees. Construction permit fees and plan review fees for fire hydrant systems, fire extinguishing systems, and fire alarm systems shall be paid to the Santa Clara County Fire Department in accordance with the following table based on valuation. The valuation shall be limited to the value of the system installation for which the permit is being issued. Plan review fees are 65 percent of the Permit Fee amount. For the purposes of determining the total fee amount for each permit, the plan review fee shall be added to the Permit Fee.

TOTAL VALUATIONS	**PERMIT FEE**
$1.00 TO $500.00	$23.50
$501.00 TO $2,000.00	$23.50 for the first $500.00 plus $3.05 for each additional $100.00, or fraction thereof, to and including $2,000.00
$2001.00 TO $25,000.00	$69.25 for the first $2,000.00 plus $14.00 for each additional $1,000.00 or fraction thereof, to and including $25,000.00
$25,001.00 TO $50,000.00	$391.25 for the first $25,000.00 plus $4.00 for each additional $1,000.00, or fraction thereof, to and including $50,000.00
$50,001.00 TO $100,000.00	$630.15 for the first $50,000.00 plus $13.60for each additional $1,000.00, or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	$986.75 for the first $100,000.00 plus $7.00 for each additional $1,000.00, or fraction thereof, to and including $500,000.00
$500,001 to $1,000,000.00	$3,228.15 for the first $500,000.00 plus $5.35 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001 and up	$5,604.00 for the first $1,000,000.00 plus $4.75 for each additional $1,000.00, or fraction thereof
Additional re-inspections, in connection with the permits above, are to be paid at $120.00 for each occurrence at the discretion of the fire code official.	
Cancelled inspections without advance notice are to be paid at $120.00 for each occurrence.	

Sec. 9.30.750. Operational permit fees.

107.2.2 is added as follows:

107.2.2 Operational permit fees. Operational permit fees shall be paid to the Santa Clara County Fire Department as follows:

	FACILITY TYPE	PERMIT FEE
1.	Institutional	
	A. More than 6 persons	$75.00 - Annually
	B. Over 50 persons	$100.00 - Annually
2.	Day Care Facilities	
	More than 6 clients	$35.00 - Annually
3.	Places of Assembly	
	A. 50-300 persons	$50.00 - Annually
	B. Over 300 persons	$85.00 - Annually
4.	Temporary Membrane Structures, Tents, and Canopies (Only those requiring permits in accordance with Section 105.6.47).	$85.00 – Each occurrence

Sec. 9.30.780. Final inspection.

108.5 is added as follows:

108.5 Final inspection. No final inspection as to all or any portion of a development shall be deemed completed until the installation of the required fire protection facilities and access ways have been completed and approved. No final certificate of occupancy may be granted until the Fire Department issues notice of final clearance of such fire protection facilities and access ways to the Building Department.

Sec. 9.30.785. Violations.

110.4 is deleted.

CHAPTER 2 DEFINITIONS

202 GENERAL DEFINITIONS

202 is amended to amend and add the following definitions:

CORROSIVE LIQUID. Corrosive liquid is:

1) any liquid which, when in contact with living tissue, will cause destruction or irreversible alteration of such tissue by chemical action; or
2) any liquid having a pH of 2 or less or 12.5 or more; or
3) any liquid classified as corrosive by the U.S. Department of Transportation; or
4) any material exhibiting the characteristics of corrosivity in accordance with Title 22, California Code of Regulations §66261.22.

HEALTH HAZARD – OTHER. A hazardous material which affects target organs of the body, including but not limited to, those materials which produce liver damage, kidney damage, damage to the nervous system, act on the blood to decrease hemoglobin function, deprive the body tissue of oxygen or affect reproductive capabilities, including mutations (chromosomal damage), sensitizers or teratogens (effect on fetuses).

LARGE-SCALE FIRE TESTING. Testing a representative energy storage system that induces a significant fire into the device under test and evaluates whether the fire will spread to adjacent energy storage system units, surrounding equipment, or through an adjacent fire-resistance-rated barrier.

MODERATELY TOXIC GAS. A chemical or substance that has a median lethal concentration (LC50) in air more than 2000 parts per million but not more than 5000 parts per million by volume of gas or vapor, when administered by continuous inhalation for an hour, or less if death occurs within one hour, to albino rats weighing between 200 and 300 grams each.

SECONDARY CONTAINMENT. Secondary containment is that level of containment that is external to and separate from primary containment and is capable of safely and securely containing the material, without discharge, for a period of time reasonably necessary to ensure detection and remedy of the primary containment failure.

SPILL CONTROL. That level of containment that is external to and separate from the primary containment and is capable of safely and securely containing the contents of the largest container and prevents the materials from spreading to other parts of the room.

WORKSTATION. A defined space or an independent principal piece of equipment using flammable or unstable (Class 3 or 4 as ranked by NFPA 704) hazardous materials where a specific function, laboratory procedure or research activity occurs. Approved or listed hazardous materials storage cabinets, flammable liquid storage cabinets or gas cabinets serving a workstation are included as part of the workstation. A workstation is allowed to contain ventilation equipment, fire protection devices, detection devices, electrical devices and other processing and scientific equipment.

CHAPTER 5 FIRE SERVICE FEATURES

Amend Chapter 5 of the 2022 California Fire Code as follows:

SECTION 503 FIRE APPARATUS ACCESS ROADS

Section 503.1 is amended as follows:

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and in accordance with the fire department's access standards**.**

Section 503.1.1 is amended as follows:

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements for this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exceptions:

1. In other than R-3 or U occupancies, when the building is equipped throughout with an approved automatic sprinkler system, installed in accordance with Section 903.3.1.1 the dimension may be increased to a maximum of 300 feet when approved by the fire code official.

2. When there are not more than two Group R-3 or accessory Group U occupancies, the dimension may be increased to a maximum of 200 feet.

3. When apparatus roads cannot be installed because of topography, waterways, nonnegotiable grades or other similar conditions, an approved alternative means of fire protection shall be provided.

Section 503.2.1 is amended as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) for engines, and 26 feet (7925 mm) for aerial fire apparatus exclusive of shoulders, except for approved gates or barricades in accordance with Sections 503.5.1 and 503.6. The unobstructed vertical clearance shall be a minimum of 13 feet 6 inches (4115 mm), or as determined by the fire code official.

Exception: When there are not more than two residential parcels, having only Group R, Division 3, or Group U occupancy structures, the access road width may be modified by the fire code official.

Section 503.2.4 is amended as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be a minimum of 30 feet (9144 mm) inside, and a minimum of 50 feet (15240 mm) outside.

Section 503.2.7 is amended as follows:

503.2.7 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15-percent, unless approved by the fire code official**.**

Section 503.5 is amended as follows:

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails, or other accessways, not including the public streets, alleys, or highways. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings. Electric gate operators, where provided shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed, and installed to comply with the requirements of ASTM F2200.

Section 503.6 is amended as follows:

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire code official. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F2200. The minimum width for commercial applications is 20 feet (6096 mm), and 12 feet (4268 mm) for single-family dwellings.

SECTION 504 ACCESS TO BUILDING OPENINGS AND ROOFS

Section 504.5 is added to read:

504.5 Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to within and throughout the building, are installed, such devices shall be approved by the fire code official. All electrically powered access control devices shall be provided with an approved means for deactivation or unlocking from a single location or otherwise approved by the fire code official. Access control devices must also comply with Chapter 10.

SECTION 505 PREMISES IDENTIFICATION

Section 505.1 is amended as follows:

505.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (153 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

The following is a guideline for adequate address number dimensions:

- The number posted up to 49 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a half (½) inch stroke.

- The number posted from 50 to 100 feet from the public street shall be of one solid color which is contrasting to the background and be at least six (6) inches high with a one (1) inch stroke.

- The number posted over 100 to 199 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (10) inches high with a one and a half (1½) inch stroke.

- The number posted over 200 to 299 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (18) inches high with a one and a half (2) inch stroke.

- The number posted over 300 to 400 feet from the public street shall be of one solid color which is contrasting to the background and be at least ten (24) inches high with a one and a half (2½) inch stroke.

SECTION 510 EMERGENCY RESPONDER COMMUNICATION COVERAGE

Section 510.1 is amended as follows:

510.1 Emergency responder communication coverage in new buildings. Approved radio coverage for emergency responders shall be provided within all buildings meeting any one of the following conditions:

1. There are more than 3 stories above grade plane (as defined by the Building Code Section 202);

2. The total building area is 30,000 square feet or more;

3. The total basement area is 5,000 square feet or more;

4. Where required by the fire code official and radio coverage signal strength levels are not consistent with the minimum levels set forth in Section 510.4.1

Exceptions:

1. Where approved by the fire code official, a wired communication system in accordance with Section 907.2.13.2 shall be permitted to be installed or maintained in lieu of an approved radio coverage system.

2. Where it is determined by the fire code official that the radio coverage system is not needed.

3. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.

4. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the Silicon Valley Regional Interoperability Authority (SVRIA) P25 Phase 2 700 MHz Digital Trunked Radio System within the building in accordance with Section 510.4.1 without the use of an indoor radio coverage system.

The radio coverage system shall be installed and maintained in accordance with Sections 510.4 through 510.6.4 of this code and with the applicable provisions of NFPA 1221, Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems.

The coverage shall be based upon the existing coverage levels of the public safety communication systems of the jurisdiction at the exterior of the building. This section shall not require improvement of the existing public safety communication systems.

Section 510.1.1 is added as follows:

510.1.1 Obstruction by new buildings. No obstruction of the public safety system backhaul shall be allowed without an approved mitigating plan.

Section 510.3 is amended as follows:

510.3 Permit required. A construction permit, for the installation of, or modification of, emergency responder radio coverage systems and related equipment is required as specified in Section 105.6.4. Maintenance performed in accordance with this code is not considered a modification and does not require a permit. A frequency change made to an existing system is considered to be new construction and will require a construction permit.

Section 510.4 is amended as follows:

510.4 Technical requirements. Equipment required to provide in-building, two-way emergency responder communication coverage shall be listed in accordance with UL 2524. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8 and the current Emergency Responders Radio Coverage Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.4.1.1 is amended as follows:

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 for analog communications and DAQ of 3.4 for digital communications systems or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology.

Section 510.4.1.2 is amended as follows:

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 for analog communications and DAQ of 3.4 for digital communications systems or an equivalent SINR applicable to the technology.

Section 510.5 is amended as follows:

510.5 Installation requirement. The installation of the emergency responder radio coverage system shall be in accordance with NFPA 1221 and the current Emergency Responder Radio Coverage Systems Standard Details & Specification enforced by the Santa Clara County Fire Department.

Section 510.5.2 is amended as follows:

510.5.2 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the fire code official and the agency FCC license holder or systems administrator.

Section 510.5.4 is amended as follows:

510.5.4 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. Final system acceptance will require ERRCS power level and DAQ testing with agency FCC license holder, systems administrators, or designee.

CHAPTER 6 BUILDING SERVICES AND SYSTEMS

Amend Chapter 6 of the 2022 California Fire Code as follows:

SECTION 603 ELECTRICAL EQUIPMENT, WIRING AND HAZARDS

Section 603.11 is added to read:

603.11 Immersion Heaters. All electrical immersion heaters used in dip tanks, sinks, vats and similar operations shall be provided with approved over-temperature controls and low liquid level electrical disconnects. Manual reset of required protection devices shall be provided.

SECTION 605 FUEL-FIRED APPLIANCES

Section 605.5 is amended as follows:

605.5 Portable unvented heaters. Portable unvented fuel-fired heating equipment shall be prohibited in occupancies in Groups A, B, E, I, R-1, R-2, R2.1, R2.2, R-3, R3.1 and R-4 and ambulatory care facilities.

Exceptions:

1. Portable unvented fuel-fired heaters listed in accordance with UL 647 are permitted to be used in one and two-family dwellings, where operated and maintained in accordance with the manufacturer's instructions.

2. Portable outdoor gas-fired heating appliances in accordance with Section 605.5.2.

Section 605.5.2.1.1 is amended as follows:

605.5.2.1.1 Prohibited locations. The storage or use of portable outdoor gas-fired heating appliances is prohibited in any of the following locations:

1. Inside of any occupancy where connected to the fuel gas container.
2. Inside of tents, canopies and membrane structures.
3. On exterior balconies, and rooftops.

CHAPTER 7 FIRE AND SMOKE PROTECTION FEATURES

Amend Chapter 7 of the 2022 California Fire Code as follows:

SECTION 703 PENETRATIONS

Section 703.3 is added to read:

703.3 Fire-resistant penetrations and joints. In high-rise buildings, in buildings assigned to Risk Category III or IV, or in fire areas containing Group R occupancies with an occupant load greater than 100, and other occupancies as determined necessary special inspections for through-penetrations, membrane penetration firestops, fire resistant joint systems and perimeter fire containment systems that are tested and listed in accordance with CBC Sections 714.4.1.2, 714.5.1.2, 715.3.1 and 715.4 shall be in accordance with Section 1705.18.1 or 1705.18.2.

CHAPTER 9 FIRE PROTECTON AND LIFE SAFETY SYSTEMS

Amend Chapter 9 of the 2022 California Fire Code as follows:

SECTION 901 GENERAL

Section 901.6.2 is amended to read:

901.6.2 Integrated testing. Where two or more fire protection or life safety systems are interconnected, the intended response of subordinate fire protection and life safety systems shall be verified when required testing of the initiating system is conducted. In addition, integrated testing shall be performed in accordance with Sections 901.6.2.1 and 901.6.2.2.

901.6.2.1 High-rise buildings. For high-rise buildings, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.

901.6.2.2 Smoke control systems. Where a fire alarm system is integrated with a smoke control system as outlined in Section 909, integrated testing shall comply with NFPA 4, with an integrated test performed prior to issuance of the certificate of occupancy and at intervals not exceeding 10 years, unless otherwise specified by an integrated system test plan prepared in accordance with NFPA 4. If an equipment failure is detected during integrated testing, a repeat of the integrated test shall not be required, except as

necessary to verify operation of fire protection or life safety functions that are initiated by equipment that was repaired or replaced. For existing buildings, the testing timeframe shall be specified by the integrated systems test plan prepared in accordance with NFPA 4 as approved by the fire code official.

Section 901.6.3 is amended to read:

901.6.3 Records Information. Records of all system inspections, tests and maintenance required by the referenced standard shall be maintained on the premises for a minimum of five years. See 907.7 & 907.8 for fire alarm system inspection, testing and maintenance documentation requirements.

SECTION 903 AUTOMATIC SPRINKLER SYSTEMS

Section 903.2 is amended to read:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in this Section or in Sections 903.2.1 through 903.2.12 whichever is the more restrictive and Sections 903.2.14 through 903.2.21.

For the purposes of this section, firewalls and fire barriers used to separate building areas shall be constructed in accordance with the California Building Code and shall be without openings or penetrations.

1. An automatic sprinkler system shall be provided throughout all new buildings and structures, other than Group R occupancies, except as follows:
    a. Buildings and structures not located in any Wildland-Urban Interface and not exceeding 1,200 square feet of fire area.
    b. Buildings and structures located in any Wildland-Urban Interface Fire Area and not exceeding 500 square feet of fire area.
    c. Group S-2 or U occupancies, including photovoltaic support structures, used exclusively for vehicle parking which meet all of the following:
        i. Noncombustible construction.
        ii. Maximum 5,000 square feet in building area.
        iii. Structure is open on not less than three (3) sides nor 75% of structure perimeter.
        iv. Minimum of 10 feet separation from existing buildings, or similar structures, unless area is separated by fire walls complying with California Building Code 706.
    d. Canopies, constructed in accordance with CBC 406.7.2, used exclusively for weather protection of vehicle fueling pads per CBC 406.7.1 and not exceeding 5,000 square feet of fire area.

2. An automatic sprinkler system shall be installed throughout all new buildings with a Group R fire area.

   Exception: Accessory Dwelling Unit, provided that all of the following are met:

   a. The unit meets the definition of an Accessory Dwelling Unit as defined in the Government Code Section 65852.2.
   b. The existing primary residence does not have automatic fire sprinklers.
   c. The accessory dwelling unit does not exceed 1,200 square feet in size.
   d. The unit is on the same lot as the primary residence.
   e. The unit meets all apparatus access and water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

3. An approved automatic fire sprinkler system shall be installed in new manufactured homes (as defined in California Health and Safety Code Sections 18007 and 18009) and multifamily manufactured homes with two dwelling units (as defined in California Health and Safety Code Section 18008.7) in accordance with Title 25 of the California Code of Regulations.
4. An automatic sprinkler system shall be installed throughout existing buildings with a Group R fire area when additions are made causing the fire area to exceed 3,600 square feet.

   Exception: Additions where all of the following are met:

   a. Building addition does not exceed 500 square feet.
   b. The resultant structure meets all water supply requirements of Chapter 5 and Appendix B of the 2022 California Fire Code.

5. An automatic sprinkler system shall be provided throughout existing Group A, B, E, F, L, M, S and U buildings and structures, when additions are made that increase the fire area to more than 3,600 square feet or that create conditions described in Sections 903.2.1 through 903.2.18.
6. Any change in the character of occupancy or in use of any building with a fire area equal to or greater than 3,600 square feet which, in the opinion of the fire code official or building official, would place the building into a more hazardous division of the same occupancy group or into a different group of occupancies and constitutes a greater degree of life safety[1] or increased fire risk[2], shall require the installation of an approved fire automatic fire sprinkler system.

   [1] Life Safety – Shall include, but not limited to: Increased occupant load, public assembly areas, public meeting areas, churches, indoor amusement attractions, buildings with complex exiting_systems due to increased occupant loads, large schools/day-care facilities, large residential care facilities housing non-ambulatory clients.

[2] Fire Risks – Shall include, but not limited to: High-piled combustible storage, woodworking operations, hazardous operations using hazardous materials, increased fuel loads (storage of moderate to highly combustible materials), increased sources of ignition (welding, automotive repair with the use of flammable liquids and open flames).

Section 903.2.11.7 is added to read:

903.2.11.7 Chemical Fume Hood Fire Protection.
Approved automatic fire extinguishing systems shall be provided in chemical fume hoods in the following cases:

1. Existing hoods having interiors with a flame spread index greater than 25 in which flammable liquids are handled.
2. If a hazard assessment determines that an automatic extinguishing system is required for the chemical fume hood, then the applicable automatic fire protection system standard shall be followed.

SECTION 907 FIRE ALARM AND DETECTION SYSTEMS

Section 907.8 is amended to read:

907.8 Inspection, testing and maintenance. The maintenance and testing schedules and procedures for fire alarm and fire detection systems shall be in accordance with Sections 907.8.1 through 907.8.4 and NFPA 72. Records of inspection, testing and maintenance shall be documented using NFPA 72 record of inspection and testing forms.

SECTION 909 SMOKE CONTROL SYSTEMS

Section 909.22.1 is amended to read:

909.22.1 Schedule. A routine maintenance and operational testing program shall be initiated immediately after the smoke control system has passed the acceptance tests. A written schedule for routine maintenance and operational testing shall be established and operational testing must occur at least annually.

CHAPTER 12 ENERGY SYSTEMS

Amend Chapter 12 of the 2022 California Fire Code as follows:

SECTION 1202 DEFINITIONS

Section 1202.1.1 is amended to read:

1202.1 Definitions. The following terms are defined in Chapter 2:

BATTERY SYSTEM, STATIONARY STORAGE.
BATTERY TYPES.
CAPACITOR ENERGY STORAGE SYSTEM.
CRITICAL CIRCUIT.
EMERGENCY POWER SYSTEM.
ENERGY STORAGE MANAGEMENT SYSTEMS.
ENERGY STORAGE SYSTEM (ESS).
ENERGY STORAGE SYSTEM, ELECTROCHEMICAL.
ENERGY STORAGE SYSTEM, MOBILE.
ENERGY STORAGE SYSTEM, WALK-IN UNIT.
ENERGY STORAGE SYSTEM CABINET.
ENERGY STORAGE SYSTEM COMMISSIONING.
ENERGY STORAGE SYSTEM DECOMMISSIONING.
FUEL CELL POWER SYSTEM, STATIONARY.
LARGE-SCALE FIRE TESTING
PORTABLE GENERATOR.
STANDBY POWER SYSTEM.

SECTION 1207 ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)

ELECTRICAL ENERGY STORAGE SYSTEMS (ESS)

Section 1207.1.5 is amended to read:

1207.1.5 Large-scale fire test. Where required elsewhere in Section 1207, large-scale fire testing shall be conducted in accordance with NFPA 855, and UL 9540A. The testing shall be conducted or witnessed and reported by an approved testing laboratory and show that a fire involving one ESS will not propagate to an adjacent ESS, and where installed within buildings, enclosed areas and walk-in units will be contained within the room, enclosed area or walk-in unit for a duration equal to the fire-resistance rating of the room separation specified in Section 1207.7.4. The test report shall be provided to the fire code official for review and approval in accordance with Section 104.8.2.

Section 1207.2.2.1 is amended to read:

1207.2.2.1 Ongoing inspection and testing. Systems that monitor and protect the ESS installation shall be inspected and tested in accordance with the manufacturer's instructions and the operation and maintenance manual. Inspection and testing records shall be maintained in the operation and maintenance manual and made available to the fire code official upon request.

Section 1207.5.2 is amended to read:

1207.5.2 Maximum allowable quantities. Fire areas within rooms, areas and walk-in units containing electrochemical ESS shall not exceed the maximum allowable quantities in Table 1207.5. The allowable number of fire areas, maximum allowable quantity, and fire-resistance rating of fire-barriers shall comply with Table 1207.5.1.

Exceptions:
Where approved by the fire code official, rooms, areas and walk-in units containing electrochemical ESS that exceed the amounts in Table 1207.5 shall be permitted based on a hazardous mitigation analysis in accordance with Section 1207.1.4 and large-scale fire testing complying with Section 1207.1.5.

1. Lead-acid and nickel-cadmium battery systems installed in facilities under the exclusive control of communications utilities and operating at less than 50 VAC and 60 VDC in accordance with NFPA 76.

2. Dedicated-use buildings in compliance with Section 1207.7.1.

TABLE 1207.5.1
DESIGN AND NUMBER OF ESS FIRE AREAS

STORY		PERCENTAGE OF MAXIMUM ALLOWABLE QUANTITY PER FIRE AREA	NUMBER OF FIRE AREAS PER STORY	FIRE-RESISTANCE RATING FOR FIRE BARRIERS IN HOURS
Above grade plan	Higher than 9	25	1	3
	7-9	50	2	2
	6	50	2	2
	5	50	2	2
	4	75	4	2
	3	100	6	2
	2	100	6	2
	1	100	6	2
Below grade plan	1	100	4	3
	2	50	2	3
	Lower than 2	Not Allowed	Not Allowed	Not Allowed

Section 1207.5.5 is amended to read:

1207.5.5 Fire suppression systems. Rooms and areas within buildings and walk-in units containing electrochemical ESS shall be protected by an automatic fire suppression system designed and installed in accordance with one of the following:

1. An automatic sprinkler system designed and installed in accordance with Section 903.3.1.1 with a minimum density of 0.3 gpm/ft2 (1.14 L/min) based on the fire area or 2,500 square-foot (232 m2) design area, whichever is larger.

2. Where approved, an automatic sprinkler system designed and installed in accordance with Section 903.3.1.1 with a sprinkler hazard classification based on large-scale fire testing complying with Section 1207.1.5.

3. The following alternative automatic fire-extinguishing systems designed and installed in accordance with Section 904, provided that the installation is approved by the fire code official based on large-scale fire testing complying with Section 1207.1.5:

   3.1. NFPA 12, *Standard on Carbon Dioxide Extinguishing Systems*.

   3.2. NFPA 15, *Standard for Water Spray Fixed Systems for Fire Protection*.

   3.3. NFPA 750, *Standard on Water Mist Fire Protection Systems*.

   3.4. NFPA 2001, *Standard on Clean Agent Fire-Extinguishing Systems*.

   3.5. NFPA 2010, *Standard for Fixed Aerosol Fire-Extinguishing Systems*.

   Exception: Fire suppression systems for lead-acid and nickel-cadmium battery systems at facilities under the exclusive control of communications utilities that operate at less than 50 VAC and 60 VDC shall be provided where required by NFPA 76.

Section 1207.11.3 is amended to read:

1207.11.3 Location. ESS shall be installed only in the following locations:

1. Detached garages and detached accessory structures.

2. Attached garages separated from the dwelling unit living space and sleeping units in accordance with Section R302.6.

3. Outdoors or on the exterior side of the exterior walls not less than 3 feet (914 mm) from doors and windows directly entering the dwelling unit and not below or above any emergency escape and rescue openings.

4. Enclosed utility closets, basements, storage or utility spaces within dwelling units with finished or noncombustible walls and ceilings. Walls and ceilings of unfinished wood-framed construction shall be provided with not less than 5/8-inch (15.9 mm) Type X gypsum wallboard.

5. ESS shall not be installed in sleeping rooms, closets, spaces opening directly into sleeping rooms or in habitable spaces of dwelling units.

Section 1207.11.6 is amended to read:

1207.11.6 Fire detection. ESS installed in Group R-3 and R-4 occupancies shall comply with the following:

1. Rooms and areas within dwellings units, sleeping units, basements and attached garages in which ESS are installed shall be protected by smoke alarms in accordance with Section 907.2.11.

2. A listed heat alarm interconnected to the smoke alarms shall be installed in locations within dwelling units, sleeping units and attached garages where smoke alarms cannot be installed based on their listing.

   Exceptions:
   1. A listed heat detector may be used in place of a heat alarm, so long as it is interconnected with devices that provide an audible alarm at all sleeping areas.

   2. A fire sprinkler associated with an approved automatic sprinkler system that triggers an audible alarm upon activation of the waterflow switch, may be used in place of a heat alarm.

CHAPTER 33 FIRE SAFETY DURING CONSTRUCTION AND DEMOLITION

Amend Chapter 33 of the 2022 California Fire Code as follows:

SECTION 3305 PRECAUTIONS AGAINST FIRE

Section 3305.5 is amended as follows:

3305.5 Fire watch. Where required by the fire code official or the site safety plan established in accordance with Section 3303.1, a fire watch shall be provided for building demolition and for building construction. Fire watch is not intended to facilitate occupancy during ongoing construction in a new building.

Section 3305.10 is added to read:

3305.10 Fire Walls. When firewalls are required in combustible construction, the wall construction shall be completed (with all openings protected) immediately after the building is sufficiently weather-protected at the location of the wall(s)**.**

SECTION 3311 ACCESS FOR FIRE FIGHTING

Section 3311.1 is added to read:
3311.1 Required access. Approved vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet (30 480 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

Section 3311.1.1 is added to read:

3311.1.1 Fire Department Access Roadways: All construction sites shall be accessible by fire department apparatus by means of roadways having an all-weather driving service of not less than 20ft. of unobstructed width. The roads shall have the ability to withstand the live loads of fire apparatus, and have a minimum 13ft. 6 in. of vertical clearance. Dead end fire access roads in excess of 150 ft. in length shall be provided with approved turnarounds.

When approved by the Fire Code Official, temporary access roadways may be utilized until such time that the permanent roadways are installed. As a minimum, the roadway shall consist of a compacted sub base and six (6) inches of road base material (Class 2 aggregate base rock) both compacted to a minimum 95% and sealed. The perimeter edges of the roadway shall be contained and delineated by curb and gutter or other approved method. The use of geotextile reinforcing fabric underlayment or soils lime-treatment may be required if so determined by the project civil engineer. Provisions for surface drainage shall also be provided where necessary. The integrity of the roadway shall be maintained at all times.

SECTION 3312 MEANS OF EGRESS

Section 3312.1 is amended as follows:

3312.1 Stairways Required. Each level above the first story in multi-story buildings that require two exit stairways shall be provided with at least two usable exit stairways after the floor decking is installed. The stairways shall be continuous and discharge to grade level. Stairways serving more than two floor levels shall be enclosed (with openings adequately protected) after exterior walls/windows are in place. Exit stairs in new and in existing, occupied buildings shall be lighted and maintained clear of debris and construction materials at all times.

Exception: For multi-story buildings, one of the required exit stairs may be obstructed on not more than two contiguous floor levels for the purposes of stairway construction (i.e., installation of gypsum board, painting, flooring, etc.).

Section 3312.4 is added to read:

Section 3312.4 Required Means of Egress. All buildings under construction shall have at least one unobstructed means of egress. All means of egress shall be identified in the written fire safety plan as required by Section 3303.1.

SECTION 3315 AUTOMATIC FIRE SPRINKLER SYSTEM

Section 3315.1 is amended to read:

3315.1 Completion before occupancy. In buildings where an automatic sprinkler system is required by this code or the California Building Code, it shall be unlawful to occupy any portion of a building or structure until the automatic sprinkler system installation has been tested and approved.

In new buildings of combustible construction where, automatic fire sprinkler systems are required to be installed, the system shall be placed in service as soon as possible. Immediately upon the completion of sprinkler pipe installation on each floor level, the piping shall be hydrostatically tested and inspected. After inspection approval from the Fire department, each floor level of sprinkler piping shall be connected to the system supply riser and placed into service with all sprinkler heads uncovered. Protective caps may be installed on the active sprinklers during the installation of drywall, texturing and painting, but shall be removed immediately after this work is completed. For system activation notification, an exterior audible waterflow alarm shall be installed and connected to the sprinkler waterflow device prior to installation of the monitoring system.

For buildings equipped with fire sprinkler systems that are undergoing alterations, the sprinkler system(s) shall remain in service at all times except when system modifications are necessary. Fire sprinkler systems undergoing modifications shall be returned to service at the end of each workday unless otherwise approved by the fire department. The General contractor or his/her designee shall check the sprinkler control valve(s) at the end of each workday to confirm that the system has been restored to service.

CHAPTER 49 REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

Amend Chapter 49 of the 2022 California Fire Code as follows:

SECTION 4901 GENERAL

Section 4901.3 is added to read:

4901.3 Where applicable.
These requirements shall apply to all areas within the Town of Los Gatos as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" which map and all notations, references, data and other information shown thereon are hereby adopted and made a part of this Chapter. The map properly attested, shall be on file in the Office of the Town Clerk of the Town Los Gatos.

Section 4901.4 is added to read:

4901.4 Exemptions.
These requirements shall not apply to any land or water area acquired or managed for one or more of the following purposes or uses:

1. Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government.
2. Lands kept in a predominantly natural state as habitat for wildlife, plant, or animal communities.
3. Open space lands that are environmentally sensitive parklands.
4. Other lands having scenic values, as declared by the local agency, or by state or federal law.

SECTION 4902 DEFINITIONS

Section 4902 Definitions are hereby added/amended to read as follows:

Defensible Space. An area around the perimeter of a structure in which vegetation, debris, and other types of combustible fuels are treated, cleared, or reduced to slow the rate and intensity of potentially approaching wildfire or fire escaping from structure(s).

Reduced Fuel Zone. In this area of the defensible space, efforts are placed on ensuring fuels/vegetation are separated vertically and horizontally depending on the vegetation type.

Wildland-Urban Interface. A geographical area identified by the state as a " Fire Hazard Severity Zone" in accordance with the Public Resources Code Sections 4201 through 4204 and Government Code Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. The Wildland-Urban Interface Fire Area shall be defined as all areas within the Town of Los Gats as set forth and delineated on the map entitled "Wildland-Urban Interface Fire Area" which map and all notations, references, data and other information shown thereon are hereby adopted and made a part of this chapter. The map properly attested, shall be on file in the Office of the Town Clerk of the Town of Los Gatos.

SECTION 4906 VEGETATION MANAGEMENT

Section 4906.1.1 is added to read:

4906.1.1 Hazardous vegetation and fuels shall be managed to reduce the severity of potential exterior wildfire exposure to buildings, to reduce the risk of fire spreading to buildings, and provide for safe access for emergency wildland fire equipment and civilian evacuation concurrently, as required by applicable laws and standards.

Section 4906.1.2 is added to read:

4906.1.2 Maintenance required.
Maintenance is required to ensure conformance with these standards and measures, and to assure continued availability, access, and utilization, of the defensible space during a wildfire.

Section 4906.1.3 is added to read:

4906.1.3 Additional measures.
No person subject to these regulations shall permit any fire hazard, as defined in this chapter, to exist on premises under their control, or fail to take immediate action to abate a fire hazard when requested to do so by the enforcing agency.

Section 4906.1.4 is added to read:

4906.1.4 Exemption.
For the purposes of this chapter, vegetation removal or management, undertaken in whole or in part, for fire prevention or suppression purposes shall not be deemed to alter the natural condition of public property.

Section 4906.2 is amended to read:

4906.2 Application. All new planting of vegetation in State Responsibility Areas (SRA) and Local Responsibility Areas (LRA) designated as a Very High Fire Hazard Severity Zone or as a Wildland Urban Interface Fire Area by the Town of Los Gatos shall comply with Section 4906.3 through 4906.5.3.

SECTION 4907 DEFENSIBLE SPACE

Section 4907.1 is amended to read:

4907.1 General. Hazardous vegetation and fuels shall be managed to reduce the severity of potential exterior wildfire exposure to buildings and to reduce the risk of fire spreading to buildings as required by applicable laws and regulations.

Defensible space will be managed around all buildings and structures in State Responsibility Areas (SRA) as required in Public Resources Code 4291.

Persons owning, leasing, controlling, operating, or maintaining buildings or structures, and/or lands in, upon, or adjoining the locally adopted Wildland-Urban Interface Fire Area, shall at all times comply with the following:

1. Maintain defensible space of 100 feet from each side and from the front and rear of any building or structure, but not beyond the property line except as provided by law. The 100 feet of defensible space should be segregated into the following zones:

    a. Maintain an effective defensible space by removing and clearing away flammable vegetation and other combustible materials from areas within 30 feet of such buildings or structures.

        Exception: When approved by the Fire Chief or his/her designee, single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

    b. Maintain an additional reduced fuel zone of 70 feet from all buildings and structures with an emphasis on vertical and horizontal separation of fuels/vegetation. Distances beyond an additional 70 feet may be required when the Fire Chief or his/her designee, determines that due to steepness of terrain or other conditions, 70 additional feet is insufficient.

        Exception: When approved by the Fire Chief or his/her designee grass and other vegetation located more than 30 feet from buildings or structures and less than 18 inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

    c. New construction must create a noncombustible area a minimum of 5 feet from structures.

2. Remove portions of trees, which extend within 10 feet of the outlet of any chimney or stovepipe.
3. Maintain any tree, shrub, or other plant adjacent to or overhanging any building or structure free of dead limbs, branches or other combustible material.
4. Maintain the roof of any structure and roof gutters free of leaves, needles, or other combustible materials.
5. Maintain defensible space as determined by the Fire Chief or his/her designee around water tank structures, water supply pumps, and pump houses.

6. Remove flammable vegetation a minimum of 10 feet around liquefied petroleum gas tanks/containers.
7. Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within the defensible space shall be located a minimum of 30 feet from structures and separated from the crown of trees by a minimum horizontal distance of 15 feet.

   Exception: Firewood and combustible materials not for consumption on the premises shall be stored as approved by the Fire Chief or his/her designee.
8. Clear areas within 10 feet of fire apparatus access roads and driveways of non- fire- resistive vegetation growth.

   Exception: Single specimens of trees, ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents, or similar plants used as ground cover, provided they do not form a means of readily transmitting fire.

Section 4901.1.1 is added to read:

4907.1.1 Defensible space along property lines. Pursuant to Government Code Section 51182 and Public Resources Code Section 4291(a)(2):

1. When an occupied building is less than 100 feet from a property line and combustible vegetation on an adjacent parcel presents a fire hazard for the occupied building as determined by the Fire Chief or his/her designee then the owner of the adjacent parcel where the hazard exists shall be responsible for fuel management, including removal to the satisfaction of the Fire Chief or his/her designee.

Section 4907.3 is amended to read:

4907.3 Requirements. Hazardous vegetation and fuels around all buildings, roads, driveways, and structures shall be maintained in accordance with the following laws and regulations:

1. Public Resources Code, Sections 4291 through 4296.

2. California Code of Regulations, Title 14, Division 1.5, Chapter 7, Subchapter 3, Article 3, Section 1299.03.

3. California Government Code, Sections 51175 - 51189.

4. California Code of Regulations, Title 19, Division 1, Chapter 7, Subchapter 1, Section 3.07.

5. Any local ordinance of the Town of Los Gatos.

Section 4907.4 is added to read:

4907.4 Corrective actions. When the Fire Chief or his/her designee determines defensible space to be inadequate the Town Council is authorized to instruct the Fire Chief or his/her designee to give notice to the owner of the property upon which conditions regulated by this Section exist to correct such conditions. If the owner fails to correct such conditions, the Town Council is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such conditions exist.

Section 4911 is added to read:

SECTION 4911 WATER SUPPLY

4911.1 General. Buildings and structures, or portions thereof, hereafter constructed or relocated into or within the Wildland-Urban Interface Fire Area shall be provided with fire protection water supplies in accordance with Chapter 5 and Appendix B, as adopted.

Exception:

Buildings containing only private garages, carports, sheds and agricultural buildings with a building area of not more than 500 square feet (56 m2).

4911.2 Standby power. Standby power shall be provided to pumps, controllers and related electrical equipment so that stationary water supply facilities within the wildland-urban interface area that are dependent on electrical power can provide the required water supply. The standby power system shall be in accordance with the Electrical Code. The standby power source shall be capable of providing power for a minimum of two hours.

Exceptions:

1. When approved by the code official, a standby power supply is not required where the primary power service to the stationary water supply facility is underground.
2. A standby power supply is not required where the stationary water supply facility serves no more than one single-family dwelling.

Section 4912 is added to read:

SECTION 4912 IGNITION SOURCE CONTROL

4912.1 Fireworks. Fireworks shall not be used or possessed in the Wildland-Urban Interface Fire Area.

Chapter 50 HAZARDOUS MATERIALS-GENERAL PROVISIONS

Amend Chapter 50 of the 2022 California Fire Code as follows:

SECTION 5001 GENERAL

Section 5001.2.2.2 is amended to read:

5001.2.2.2 Health Hazards The material categories listed in this section are classified as health hazards. A material with a primary classification as a health hazard can also pose a physical hazard.

1. Highly toxic and toxic materials.
2. Corrosive materials.
3. Moderately toxic gas.
4. Health hazards - Other.

SECTION 5002 DEFINITIONS

Section 5002.1 is amended to read:

5002.1 Definitions. The following terms are defined in Chapter 2:

BOILING POINT.
CEILING LIMIT.
CHEMICAL.
CHEMICAL NAME.
CLOSED CONTAINER.
CONTAINER.
CONTROL AREA.
CYLINDER.
DAY BOX.
DEFLAGRATION.
DESIGN PRESSURE.
DETACHED BUILDING.
DISPENSING.
EXCESS FLOW CONTROL.
EXHAUSTED ENCLOSURE.
EXPLOSION.
FLAMMABLE VAPORS OR FUMES.

GAS CABINET.
GAS ROOM.
HANDLING.
HAZARDOUS MATERIALS.
HEALTH HAZARD.
HEALTH HAZARD – OTHER.
IMMEDIATELY DANGEROUS TO LIFE AND HEALTH (IDLH).
INCOMPATIBLE MATERIALS.
LIQUID.
LOWER EXPLOSIVE LIMIT (LEL).
LOWER FLAMMABLE LIMIT (LFL).
MAXIMUM ALLOWABLE QUANTITY PER CONTROL AREA.
MODERATELY TOXIC GAS.
NORMAL TEMPERATURE AND PRESSURE (NTP).
OUTDOOR CONTROL AREA.
PERMISSIBLE EXPOSURE LIMIT (PEL).
PESTICIDE.
PHYSICAL HAZARD.
PRESSURE VESSEL.
SAFETY CAN.
SAFETY DATA SHEET (SDS).
SECONDARY CONTAINMENT.
SEGREGATED.
SOLID.
SPILL CONTROL.
STORAGE, HAZARDOUS MATERIALS.
SYSTEM.
TANK, ATMOSPHERIC.
TANK, PORTABLE.
TANK, STATIONARY.
TANK VEHICLE.
UNAUTHORIZED DISCHARGE.
USE (MATERIAL).
VAPOR PRESSURE.

SECTION 5003 GENERAL REQUIREMENTS

Section 5003.1.3.1 is added to read:

5003.1.3.1 Toxic, Highly Toxic, Moderately Toxic Gases and Similarly Used or Handled Materials. The storage, use and handling of toxic, highly toxic and moderately toxic gases in amounts exceeding Table 6004.2.1.4 shall be in accordance with this chapter and Chapter 60.

Any toxic, highly toxic or moderately toxic material that is used or handled as a gas or vapor shall be in accordance with the requirements for toxic, highly toxic or moderately toxic gases.

Section 5003.1.5 is added to read:

5003.1.5 Health Hazards - Other. The storage, use and handling of materials classified as other health hazards including carcinogens, irritants and sensitizers in amounts exceeding 810 cubic feet for gases, 55 gallons for liquids and 5,000 pounds for solids shall be in accordance with Section 5003.

Section 5003.1.6 is added to read:

5003.1.6 Additional Spill Control and Secondary Containment Requirements. In addition to the requirements set forth in Section 5004.2. An approved containment system is required for any quantity of hazardous materials that are liquids or solids at normal temperature, and pressure (NTP) where a spill is determined to be a plausible event and where such an event would endanger people, property or the environment. The approved containment system may be required to include a combination of spill control and secondary containment meeting the design and construction requirements set forth in Section 5004.2.

Section 5003.2.2.1 is amended to read:

5003.2.2.1 Design and Construction. Piping, tubing, valves, fittings and related components used for hazardous materials shall be in accordance with the following:

1. Piping, tubing, valves, fittings and related components shall be designed and fabricated from materials that are compatible with the material to be contained and shall be of adequate strength and durability to withstand the pressure, structural and seismic stress, and exposure to which they are subject.

2. Piping and tubing shall be identified in accordance with ASME A13.1 and the Santa Clara County Fire Chiefs Marking Requirements and Guidelines for Hazardous Materials and Hazardous Waste to indicate the material conveyed.

3. Manual valves or automatic remotely activated fail-safe emergency shutoff valves shall be installed on supply piping and tubing and provided with ready access at the following locations:
    3.1. The point of use.
    3.2. The tank, cylinder or bulk source.

4. Manual emergency shutoff valves and controls for remotely activated emergency shutoff valves shall be clearly visible, provided with ready access and identified in an approved manner.

5. Backflow prevention or check valves shall be provided where the backflow of hazardous materials could create a hazardous condition or cause the unauthorized discharge of hazardous materials.

6. Where gases or liquids having a hazard ranking of:
   Health hazard Class 3 or 4
   Flammability Class 4
   Reactivity Class 4

   in accordance with NFPA 704 are carried in pressurized piping above 15 pounds per square inch gauge (psig)(103 Kpa), an approved means of leak detection, emergency shutoff or excess flow control shall be provided. Where the piping originates from within a hazardous material storage room or area, the excess flow control shall be located within the storage room or area. Where the piping originates from a bulk source, the excess flow control shall be located as close to the bulk source as practical.

   Exceptions:
   1. Piping for inlet connections designed to prevent backflow.
   2. Piping for pressure relief devices.

7. Secondary containment or equivalent protection from spills or leaks shall be provided for piping for liquid hazardous materials and for highly toxic and toxic corrosive gases above threshold quantities listed in Table 6004.2.1.4. Secondary containment includes, but is not limited to double-walled piping.

   Exceptions:
   1. Secondary containment is not required for toxic corrosive gases if the piping is constructed of inert materials.
   2. Piping under sub-atmospheric conditions if the piping is equipped with an alarm and fail-safe-to-close valve activated by a loss of vacuum.

8. Expansion chambers shall be provided between valves whenever the regulated gas may be subjected to thermal expansion. Chambers shall be sized to provide protection for piping and instrumentation and to accommodate the expansion of regulated materials.

Section 5003.2.2.2 is amended to read:

5003.2.2.2 Additional Regulation for Supply Piping for Health Hazard Materials. Supply piping and tubing for gases and liquids having a health hazard ranking of 3 or 4 in accordance with NFPA 704 shall be in accordance with ASME B31.3 and the following:

1. Piping and tubing utilized for the transmission of highly toxic, toxic, or highly volatile corrosive liquids and gases shall have welded or brazed connections

throughout except for connections within an exhausted enclosure if the material is a gas, or an approved method of drainage or containment is provided for connections if the material is a liquid.

2. Piping and tubing shall not be located within corridors, within any portion of a means of egress required to be enclosed in fire-resistance-rated construction or in concealed spaces in areas not classified as Group H Occupancies.
3. All primary piping for toxic, highly toxic and moderately toxic gases shall pass a helium leak test of 1x10-9 cubic centimeters/second where practical, or shall pass testing in accordance with an approved, nationally recognized standard. Tests shall be conducted by a qualified "third party" not involved with the construction of the piping and control systems.

EXCEPTION:
Piping and tubing within the space defined by the walls of corridors and the floor or roof above or in concealed spaces above other occupancies where installed in accordance with Section 415.11.7.4 of the *California Building Code* for Group H-5 occupancies.

Section 5003.5.2 is added to read:

5003.5.2 Ventilation Ducting. Ducts venting hazardous materials operations shall be labeled with the hazard class of the material being vented and the direction of flow.

Section 5003.5.3 is added to read:

5003.5.3 "H" Occupancies. In "H" occupancies, all piping and tubing may be required to be identified when there is any possibility of confusion with hazardous materials transport tubing or piping. Flow direction indicators are required.

Section 5003.10.4 is amended to read**:**

5003.10.4 Elevators utilized to transport hazardous materials.

5003.10.4.1 When transporting hazardous materials, elevators shall have no other passengers other than the individual(s) handling the chemical transport cart.

5003.10.4.1.1 When transporting cryogenic or liquefied compressed gases, there shall be no occupants in the elevator.

5003.10.4.2 Hazardous materials liquid containers shall have a maximum capacity of 20 liters (5.28 gal).

5003.10.4.3 Toxic, moderately toxic, and highly-toxic gases shall be limited to a container of a maximum water capacity of 1 pound.

5003.10.4.4 When transporting cryogenic or liquefied compressed gases, means shall be provided to prevent the elevator from being summoned to other floors.

SECTION 5004 STORAGE

Section 5004.2.1 is amended as follows:

5004.2.1 Spill Control for Hazardous Material Liquids. Rooms, buildings or areas used for storage of hazardous material liquids be provided with spill control to prevent the flow of liquids to adjoining areas. Floors in indoor locations and similar surfaces in outdoor locations shall be constructed to contain a spill from the largest single vessel by one of the following methods:

1. Liquid-tight sloped or recessed floors in indoor locations or similar areas in outdoor locations.
2. Liquid-tight floors in indoor and outdoor locations or similar areas provided with liquid-tight raised or recessed sills or dikes.
3. Sumps and collection systems
4. Other approved engineered systems.

Except for surfacing, the floors, sills, dikes, sumps and collection systems shall be constructed of noncombustible material, and the liquid-tight seal shall be compatible with the material stored. When liquid-tight sills or dikes are provided, they are not required at perimeter openings having an open-grate trench across the opening that connects to an approved collection system.

Section 5004.2.2.2 is amended as follows:

5004.2.2.2 Incompatible Materials. Incompatible materials shall be separated from each other in independent secondary containment systems.

CHAPTER 54 CORROSIVE MATERIALS

Amend Chapter 54 of the 2022 California Fire Code as follows:

SECTION 5402 DEFINITION

Section 5402.1 is amended to read:

5402.1 Definition. The following term is defined in Chapter 2:

CORROSIVE.
CORROSIVE LIQUIDS.

CHAPTER 56 EXPLOSIVES AND FIREWORKS

Amend Chapter 56 of the 2022 California Fire Code as follows:

Section 5601.1.3 is amended to read:

5601.1. 3 Fireworks. The possession, manufacture, storage, sale, handling, and use of fireworks, including those fireworks classified as Safe and Sane by the California State Fire Marshal, are prohibited.

The use of fireworks for fireworks displays pyrotechnics before a proximate audience and pyrotechnic special effects in motion pictures, television, theatrical or group entertainment productions as allowed in Title 19, Division 1, Chapter 6 Fireworks reprinted in Section 5608 and Health and Safety Code Division 11.

CHAPTER 57 FLAMMABLE AND COMBUSTIBLE LIQUIDS

Amend Chapter 57 of the 2022 California Fire Code as follows:

SECTION 5704 STORAGE

Section 5704.2.7.5.8 is amended to read:

5704.2.7.5.8 Overfill Prevention.
An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfill of all Class I, II and IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Section 5706.4 or 5706.7 shall have overfill protection in accordance with API 2350.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).

An approved means or method in accordance with Section 5704.2.9.7.5 shall be provided to prevent the overfilling of Class IIIB liquid storage tanks connected to fuel-burning equipment inside buildings.

Exception: Outside aboveground tanks with a capacity of 1320 gallons (5000 L) or less need only comply with Section 5704.2.9.7.5 (Item 1, Sub-item 1.1).

Section 5704.2.7.5.9 is added to read:

5704.2.7.5.9 Automatic Filling of Tanks. Systems that automatically fill flammable or combustible liquid tanks shall be equipped with overfill protection, approved by the fire code official that sends an alarm signal to a constantly attended location and immediately stops the filling of the tank. The alarm signal and automatic shutoff shall be tested on an annual basis and records of such testing shall be maintained on-site for a period of five (5) years.

SECTION 5707 ON-DEMAND MOBILE FUELING OPERATIONS

Section 5707 is amended to read:

5707.3.3 Site plan.
A site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings and structures.
2. Lot lines or property lines.
3. Electric car chargers.
4. Solar photovoltaic parking lot canopies.
5. Appurtenances on-site and their use or function.
6. All uses adjacent to the lot lines of the site.
7. Fueling locations.
8. Locations of all storm drain openings and adjacent waterways or wetlands.
9. Information regarding slope, natural drainage, curbing and impounding.
10. How a spill will be kept on the site property.
11. Scale of the site plan.

CHAPTER 58 FLAMMABLE GASES AND FLAMMABLE CRYOGENIC FLUIDS

Amend Chapter 58 of the 2022 California Fire Code as follows:

SECTION 5809 MOBILE GASEOUS FUELING OF HYDROGEN-FUELED VEHICLES

Section 5809.3.4 is amended as follows:

5809.3.4 Site plan.
For other than emergency roadside service, a site plan shall be developed for each location at which mobile gaseous hydrogen fueling occurs. The site plan shall be in sufficient detail to indicate: all buildings, structures, lot lines, property lines and appurtenances on site and their use and function, and the scale of the site plan.

CHAPTER 60 HIGHLY TOXIC AND TOXIC MATERIALS

Amend Chapter 60 of the 2022 California Fire Code as follows:

SECTION 6001 GENERAL

Section 6001.1 is amended to read:

6001.1 Scope.
The storage and use of highly toxic, toxic and moderately toxic materials shall comply with this chapter. Compressed gases shall also comply with Chapter 53.

Exceptions:

1. Display and storage in Group M and storage in Group S occupancies complying with Section 5003.11.

2. Conditions involving pesticides or agricultural products as follows:

    2.1 Application and release of pesticide, agricultural products and materials intended for use in weed abatement, erosion control, soil amendment or similar applications when applied in accordance with the manufacturer's instruction and label directions.

    2.2 Transportation of pesticides in compliance with the Federal Hazardous Materials Transportation Act and regulations thereunder.

    2.3 Storage in dwellings or private garages of pesticides registered by the US Environmental Protection Agency to be utilized in and around the home, garden, pool, spa and patio.

SECTION 6004 HIGHLY TOXIC AND TOXIC COMPRESSED GASES

Section 6004.1 is amended to read:

6004.1 General.
The storage and use of highly toxic, toxic, and moderately toxic compressed gases shall comply with this section.

6004.1.1 Special limitations for indoor storage and use by occupancy. The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases in certain occupancies shall be subject to the limitations contained in Sections 6004.1.1.1 through 6004.1.1.3.

6004.1.1.1 Group A, E, I or U occupancies. Moderately toxic, toxic and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies.

Exception: Cylinders not exceeding 20 cubic feet (0.566 m^3) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

6004.1.1.2 Group R occupancies. Moderately toxic, toxic, and highly toxic compressed gases shall not be stored or used in Group R occupancies.

6004.1.1.3 Offices, retail sales and classrooms. Moderately toxic, toxic and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S occupancies.

Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m3) at NTP are allowed in gas cabinets or fume hoods.

Section 6004.2 is amended to read:

6004.2 Indoor storage and use.
The indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.2.1 through 6004.2.2.10.3.

Section 6004.2.1 is amended to read:

6004.2.1 Applicability. The applicability of regulations governing the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be as set forth in Sections 6004.2.1.1 through 6004.2.1.4.

Section 6004.2.1.4 is added to read:

6004.2.1.4 Quantities exceeding the minimum threshold quantities but not exceeding the maximum allowable quantities per control area. The indoor storage or use of highly toxic, toxic, and moderately toxic gases in amounts exceeding the minimum threshold quantities per control area set forth in Table 6004.2.1.4 but not exceeding maximum allowable quantity per control area set forth in Table 5003.1.1(2) shall be in accordance with Sections 5001, 5003, 6001, 6004.1, and 6004.4

Table 6004.2.1.4 is added to read:

Minimum Threshold Quantities for Highly Toxic, Toxic and Moderately Toxic Gases for Indoor Storage and Use	
Highly Toxic	20
Toxic	405 cubic feet
Moderately Toxic	405 cubic feet

Section 6004.4 is added to read:

6004.4. General indoor requirements. The general requirements applicable to the indoor storage and use of highly toxic, toxic, and moderately toxic compressed gases shall be in accordance with Sections 6004.4 through 6004.4.8.2

6004.4.1 Cylinder and tank location. Cylinders shall be located within gas cabinets, exhausted enclosures or gas rooms. Portable and stationary tanks shall be located within gas rooms or exhausted enclosures.

Exceptions:
1. Where a gas detection system is provided in accordance with 6004.4.8

6004.4.2. Ventilated areas. The room or area in which gas cabinets or exhausted enclosures are located shall be provided with exhaust ventilation. Gas cabinets or exhausted enclosures shall not be used as the sole means of exhaust for any room or area.

6004.4.3. Piping and controls. In addition to the requirements of Section 5003.2.2, piping and controls on stationary tanks, portable tanks, and cylinders shall comply with the following requirements:

1. Stationary tanks, portable tanks, and cylinders in use shall be provided with a means of excess flow control on all tank and cylinder inlet or outlet connections.

Exceptions:
1. Inlet connections designed to prevent backflow.
2. Pressure relief devices.

6004.4.4 Gas rooms. Gas rooms shall comply with Section 5003.8.4 and both of the following requirements:

1. The exhaust ventilation from gas rooms shall be directed to an exhaust system.
2. Gas rooms shall be equipped with an approved automatic sprinkler system. Alternative fire- extinguishing systems shall not be used.

6004.4.5 Treatment systems. The exhaust ventilation from gas cabinets, exhausted enclosures and gas rooms, required in Section 6004.4.1 shall be directed to a treatment system. The treatment system shall be utilized to handle the accidental release of gas and to process exhaust ventilation. The treatment system shall be designed in

accordance with Sections 6004.2.2.7.1 through 6004.2.2.7.5 and Chapter 5 of the California Mechanical Code.

Exceptions:

1. Highly toxic, toxic, and moderately toxic gases—storage. A treatment system is not required for cylinders, containers and tanks in storage where all of the following controls are provided:

    1.1 Valve outlets are equipped with gas- tight outlet plugs or caps.
    1.2 Hand wheel-operated valves have handles secured to prevent movement.
    1.3 Approved containment vessels or containment systems are provided in accordance with Section 6004.2.2.3.

2. Highly toxic, toxic, and moderately toxic gases —use. Treatment systems are not required for highly toxic, toxic, and moderately toxic gases supplied by stationary tanks, portable tanks, or cylinders where a gas detection system complying with Section 6004.4.8 and listed or approved automatic-closing fail- safe valves are provided. The gas detection system shall have a sensing interval not exceeding 5 minutes. Automatic-closing fail- safe valves shall be located immediately adjacent to cylinder valves and shall close when gas is detected at the permissible exposure limit (PEL) by a gas sensor monitoring the exhaust system at the point of discharge from the gas cabinet, exhausted enclosure, ventilated enclosure or gas room.

6004.4.5.1. Design. Treatment systems shall be capable of diluting, adsorbing, absorbing, containing, neutralizing, burning or otherwise processing the contents of the largest single vessel of compressed gas. Where a total containment system is used, the system shall be designed to handle the maximum anticipated pressure of release to the system when it reaches equilibrium.

6004.4.5.2. Performance. Treatment systems shall be designed to reduce the maximum allowable dis- charge concentrations of the gas to one-half immediate by dangerous to life and health (IDLH) at the point of discharge to the atmosphere. Where more than one gas is emitted to the treatment system, the treatment system shall be designed to handle the worst-case release based on the release rate, the quantity and the IDLH for all compressed gases stored or used.

6004.4.5.3. Sizing. Treatment systems shall be sized to process the maximum worst-case release of gas based on the maximum flow rate of release from the largest vessel utilized. The entire contents of the largest compressed gas vessel shall be considered.

6004.4.5.4 Stationary tanks. Stationary tanks shall be labeled with the maximum rate of release for the compressed gas contained based on valves or fittings that are inserted directly into the tank. Where multiple valves or fittings are provided, the maximum flow rate of release for valves or fittings with the highest flow rate shall be indicated. Where liquefied compressed gases are in contact with valves or fittings, the liquid flow rate shall be utilized for computation purposes. Flow rates indicated on the label shall be converted to cubic feet per minute (cfm/min) (m3/s) of gas at normal temperature and pressure (NTP).

6004.4.5.5 Portable tanks and cylinders. The maximum flow rate of release for portable tanks and cylinders shall be calculated based on the total release from the cylinder or tank within the time specified in Table 6004.2.2.7.5. Where portable tanks or cylinders are equipped with approved excess flow or reduced flow valves, the worst-case release shall be determined by the maximum achievable flow from the valve as determined by the valve manufacturer or compressed gas supplier. Reduced flow and excess flow valves shall be permanently marked by the valve manufacturer to indicate the maximum design flow rate. Such markings shall indicate the flow rate for air under normal temperature and pressure.

6004.4.6. Emergency power. Emergency power shall be provided for the following systems in accordance with Section 604:

1. Exhaust ventilation system.
2. Treatment system.
3. Gas detection system.
4. Smoke detection system.

6004.4.6.1. Fail-safe systems. Emergency power shall not be required for mechanical exhaust ventilation and treatment systems where approved fail-safe systems are installed and designed to stop gas flow.

6004.4.7. Automatic fire detection system. An approved automatic fire detection system shall be installed in rooms or areas where highly toxic, toxic, and moderately toxic compressed gases are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.

6004.4.8. Gas detection system. A gas detection system complying with Section 916 shall be provided to detect the presence of gas at or below the PEL or ceiling limit of the gas for which detection is provided.

Exceptions:

1. A gas detection system is not required for toxic and moderately toxic gases when the physiological warning threshold level for the gas is at a level below the accepted PEL for the gas.

2. A gas detection system is not required for highly toxic, toxic, and moderately toxic gases where cylinders, portable tanks, and all non-continuously welded connects are within a gas cabinet or exhausted enclosures.

6004.4.8.1. Alarms. The gas detection system shall initiate a local alarm and transmit a signal to an approved location.

6004.4.8.2. Shut off of gas supply. The gas detection system shall automatically close the shut off valve at the source on gas supply piping and tubing related to the system being monitored for whichever gas is detected.

Exception: Automatic shutdown is not required for highly toxic, toxic, and moderately toxic compressed gas systems where all of the following controls are provided:

1. Constantly attended / supervised.
2. Provided with emergency shutoff valves that have ready access.

Chapter 64 PYROPHORIC MATERIALS

Amend Chapter 64 of the 2022 California Fire Code as follows:

SECTION 6405 USE

Section 6405.3.1 is added to read:

6405.3.1 Silane distribution systems automatic shutdown.
Silane distribution systems shall automatically shut down at the source upon activation of the gas detection system at levels above the alarm level and/or failure of the ventilation system for the silane distribution system.

CHAPTER 80 REFERENCE STANDARD

Amend Chapter 80 of the 2022 California Fire Code as follows:

Add the following reference standard to read:

855 – 20: Standard for the Installation of Stationary Energy Storage Systems

APPENDIX B FIRE FLOW REQUIREMENTS FOR BUILDINGS

SECTION B105 FIRE FLOW REQUIREMENTS FOR BUILDINGS

Section B105.2 is amended to read:

B105.2 Buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings, Group R-3 and R-4 buildings and townhouses shall be as specified in Tables B105.1(2) and B105.2.

> **Exceptions:** *[SFM] Group B, S-2 and U occupancies having a floor area not exceeding 1,000 square feet, primarily constructed of noncombustible exterior walls with wood or steel roof framing, having a Class A roof assembly, with uses limited to the following or similar uses:*
>
> 1. California State Parks buildings of an accessory nature (restrooms).
> 2. Safety roadside rest areas (SRRA), public restrooms.
> 3. Truck inspection facilities (TIF), CHP office space and vehicle inspection bays.
> 4. Sand/salt storage buildings, storage of sand and salt.

The maximum fire flow reduction for all commercial buildings greater than 30,000 square feet and residential podium buildings shall not exceed 25 percent of the fire flow specified in Table B105.1(2). The maximum fire flow reduction for all other buildings shall not exceed 50 percent of the fire flow specified in Table B105.1(2).

APPENDIX C FIRE HYDRANT LOCATIONS AND DISTRIBUTION

SECTION C102 NUMBER OF FIRE HYDRANTS

Section C102.1 is amended to read:

C102.1 Minimum number of fire hydrants for a building. The number of fire hydrants available to a building shall be not less than the minimum specified in Table C102.1, utilizing the base fire flow without fire sprinkler reduction.

APPENDIX D FIRE APPARATUS ACCESS ROADS

SECTION D103 MINIMUM SPECIFICATION

Section D103.1 is deleted:

Section D103.2 is amended as follows:

D103.2 Grade. The maximum grade of a fire department apparatus access road shall not exceed 15-percent, unless approved by the fire code official**.**

Section D103.3 is amended as follows:

D103.3 Turning radius. The required turning radius of a fire apparatus access roads shall be a minimum of 30 feet inside, and a minimum of 50 feet outside.

Section D103.4 is amended to read:

D103.4 Dead ends. Dead-end fire apparatus access roads and/or driveways in excess of 150 feet (45 720 mm) shall be provided with width and turnaround provisions in accordance with Santa Clara County Fire Department apparatus access and turnaround standards.

Section D103.6 is amended to read:

D103.6 Signs. Where required by the Fire Code Official, fire apparatus access roads shall be designated and marked as a fire lane as set forth in Section 22500.1 of the California Vehicle Code and the Santa Clara County Fire Department A-6 Standard. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.

Section 4. Severability. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidly shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This Town Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed, and the balance of the ordinance be enforced.

Section 5. Effect of Ordinance. Except as expressly modified in this Ordinance, all other sections set forth in the Los Gatos Town Code shall remain unchanged and shall be in full force and effect.

Section 6. Effective Date. This Ordinance was introduced at a regular meeting of the Town Council of the Town of Los Gatos on November 1, 2022 and adopted by the following vote as an ordinance of the Town of Los Gatos at a meeting of the Town Council of the Town of Los Gatos on November 15, 2022 and becomes effective January 1, 2023.

Section 7. Publication. The Town Clerk will publish this ordinance in a newspaper of general circulation within 15 days of its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its adoption, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the Town Council and a certified copy shall be posted in the office of the Town Clerk, pursuant to GC 36933(c)(1).

Section 8. CEQA. Adoption of this ordinance is not a project subject to CEQA, because it can be seen with certainty that it will not impact the physical environment. (CEQA Guidelines Section 15378.) If adoption of this ordinance were a project, it would be categorically exempt from CEQA as an action by a regulatory agency for the protection of natural resources (CEQA Guidelines Section 15307) and the environment (CEQA Guidelines Section 15308).

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

_____

ROB RENNIE
MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

_____

WENDY WOOD
TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

This Page
Intentionally
Left Blank